Washington, Wednesday, May 14, 1947

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I-Civil Service Commission

PART 01—ORGANIZATION AND OFFICIAL REC-ORDS OF THE COLLLISSION

EXAMINING AND PLACEMENT DIVISION

1. Section 01.9 (a) (3) is amended to read as follows:

§ 01.9 Examining and Placement Division—(a) Organization. * * *

- (3) The Social Science Placement Section. This section comprises the examination units having responsibilities with respect to positions in the fields of social services, economics, accounting and allied occupations, and the various phases of administrative management.
- 2. Subparagraphs (2) (ii) and (iii) of § 01.9 (b) are amended to read as follows:
 - (b) Delegations of authority. * * * (2) By the division. * * *
- (ii) To departments and agencies. Certain phases of the review of applications involving acceptability from the standpoint of legal requirements for Federal service, for example, proof of citizenship, proof that the requirement limiting the number of members of the same family who may be employed in the Federal service has been met, proof of military service and honorable discharge in case of five point war veterans; audit of declaration of appointees; determination of experience, training, or educational qualification for transfer, remstatement, or promotions (under standards and with limitations prescribed by the Commission), where a Committee-type examination is involved, maintenance of the registers of eligibles, certification of eligibles, and audit of reports on certificates (exclusive of authority to act on objections or to determine the sufficiency of reasons for passing over veterans)

(iii) To committees of expert examiners. Where a Committee-type examination is involved, rating of hand-scored assembled or unassembled examination papers; securing of corroborative information regarding experience; acting on original appeals on ratings other than the written test in machine-scored examinations; preparing registers (subject to Commission approval), considering objections offered by the appointing

officer and making final decision that objections may not be sustained.

(Sec. 2, 22 Stat. 403, 50 Stat. 533; 5 U. S. C. 633)

[SEAL] UNITED STATES CIVIL SERVICE
COMMISSION,
H. B. MITCHELL,
President.

[F. B. Doc. 47-4510; Filed, May 13, 1947; 8:45 a. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS
(APPENDIX)

DELEGATION OF AUTHORITY TO SUGAR RATIONING ADMINISTRATION

CROSS REFERENCE; For delegation of authority from the Secretary of Agriculture to the Sugar Rationing Administration of certain authority, powers and functions transferred to the Secretary of Agriculture by Executive Order No. 9841, see F. R. Document No. 47-4602, Title 32, Chapter VII, Part 705, *infra*.

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

[Tobacco 13, Part II (1947)]

PART 725—BURLEY AND FLUE-CURED TOBACCO

SUBPART-1947-48 MARKETING YEAR

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MARKETING OR OTHER DISPOSITION OF TOBACCO AND PENALTIES

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AUTHORITY: §§ 725.330 to 725.360, inclusive, issued under 52 Stat. 38, 40, 42, 47, 48, 65, 66, 202, 204, 586; 53 Stat. 1261, 1262; 54 Stat. 393, 394, 727, 728; 57 Stat. 387; 58 Stat. 136; 60 Stat. 21; 7 U. S. C. and Sup., 1301-1303.

GENERAL

§ 725.330 Basis and purpose. Sections 725.330 to 725.360, inclusive, areissued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the issuance of marketing cards, the identification of tobacco, the collection and refund of penalties, and the records and reports incident thereto on the marketing of flue-cured and Burley tobacco during the 1947-48 marketing years. Prior to preparing §§ 725.330 to

725.360, inclusive, public notice (12 F. R. 235) of their formulation was given in accordance with the Administrative Procedure Act (60 Stat. 237) The data, views and recommendations pertaining to §§ 725.330 to 725.360, inclusive, which were submitted have been duly considered within the limits prescribed by the act, in formulating the procedural provisions of §§ 725.330 to 725.360, inclusive.

§ 725.331 Definitions. As used in §§ 725.330 to 725.360, inclusive, and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of, 1938, as amended.

(b) "County committee" means the group of persons elected within a county to assist in the administration of the Agricultural Conservation Program in such county.

(c) "Dealer or buyer" means a person who engages to any extent in the business of acquiring tobacco from producers without regard to whether such person is registered as a dealer with the Bureau of Internal Revenue.

(d) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, in-

cluding also:

(1) Any other adjacent or nearby farm land which the county committee, in ac-_cordance with instructions issued by the Field Service Branch, Production and Marketing Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(e) "Field assistant" means any duly authorized employee of the United States Department of Agriculture, and any duly authorized employee of a county committee whose duties involve the preparation and handling of records and reports pertaining to tobacco marketing quotas.

- (f) "Floor sweepings" means scraps, leaves, or bundles of tobacco, generally of inferior quality, which accumulate on the warehouse floor and which not being subject to identification with any particular lot of tobacco are gathered up by the warehouseman for sale in the form accumulated. Floor sweepings shall not include tobacco defined as "pick-ups."
- (g) "Leaf account tobacco" means all tobacco purchased by or for a warehouseman and "leaf account" shall include the records required to be kept and copies of the reports required to be made under §§ 725.330 to 725.360, inclusive, relating to tobacco purchased by or for a

warehouseman and resales of such tobacco.

(h) "Market" means the disposition in raw or processed form of tobacco by voluntary or involuntary sale, barter or exchange, or by gift inter vivos. "Marketing" and "marketed" shall have corresponding meanings to the term "market."

(i) "Nonwarehouse sale" means any first marketing of farm tobacco other than by sale at public auction through a warehouse in the regular course of busi-

(j) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(k) "Person" means an individual, partnership, association, corporation,

estate or trust, or other business enterprise or other legal entity, and wherever applicable, a State, a political subdivision

of a State or any agency thereof.
(1) "Pick-ups" means any tobacco previously marketed at auction but not delivered to the buyer because of rejection by the buyer, loss of identification, or any other reason. Pick-ups shall include any tobacco sorted and reclaimed from leaves or bundles which have fallen to the warehouse floor in the usual course of business.

(m) "Producer" means a person who, as owner, landlord, tenant, sharecropper, or laborer is entitled to share in the tobacco available for marketing from the farm, or in the proceeds thereof.

(n) "Pound" means that amount of tobacco which, if weighed in its unstemmed form and in the condition in which it is usually marketed by producers, would equal one pound standard weight.

(o) "Resale" means the disposition by sale, barter, exchange or gift inter vivos, of tobacco which has been marketed previously.

(p) "Sale day" means the period at the end of which the warehouseman bills to buyers the tobacco so purchased during

such period.

(q) "Scrap tobacco" means the residue which accumulates in the course of preparing flue-cured tobacco for market. consisting chiefly of portions of tobacco leaves and leaves of poor quality.

(r) "Secretary" means the Secretary or Acting Secretary of Agriculture of the

United States.

(s) "State Committee" means the group of persons designated as the State Committee of the Production and Marketing Administration, charged with the responsibility of administering Production and Marketing Administration programs withn the State.

(t) "Suspended sale" means any first marketing of farm tobacco at a warehouse sale for which a memorandum of sale is not issued by the end of the sale day on which such marketing occurred.

(u) "Tobacco" means flue-cured tobacco types 11, 12, 13, and 14, or Burley tobacco, type 31, as classified in Service and Regulatory Announcement No. 118 (7 CFR, Part 30) of the Bureau of Agricultural Economics of the United States Department of Agriculture, or both, as indicated by the context.

Any tobacco that has the same characteristics and corresponding qualities, colors, and lengths as either flue-cured or Burley tobacco shall be considered fluecured or Burley tobacco, as the case may be, regardless of any factors of historical or geographical nature which cannot be determined by examination of the tobacco.

(v) "Tobacco available for marketing" means all tobacco produced on the farm in the calendar year 1947 and all tobacco produced on the farm prior to the calendar year 1947 and carned over to the 1947-48 marketing year, which is not disposed of in accordance with § 725.343.

(w) "Tobacco subject to marketing

quotas" means:

(1) Any flue-cured tobacco marketed during the period July 1, 1947 to June 30, 1948, inclusive, and any flue-cured tobacco produced in the calendar year 1947 and marketed prior to July 1, 1947.

(2) Any Burley tobacco marketed during the period October 1, 1947 to September 30, 1948, inclusive, and any Burley tobacco produced in the calendar year 1947 and marketed prior to Octo-

ber 1, 1947. (x) "Trucker" means a person who engages in the business of trucking tobacco to market and selling it for producers regardless of whether the tobacco is acquired from producers by the trucker.

(y) "Warehouseman" means a person engaged in the business of holding sales of tobacco at public auction at a

warehouse.

(z) "Warehouse sale" means a marketing by a sale at public auction through a warehouse in the regular course of

§ 725.332 Instructions and forms. The Director, Tobacco Branch, Production and Marketing Administration shall cause to be prepared and issued such instructions and forms as may be necessary for carrying out §§ 725.330 to 725.360, inclusive.

§ 725.333 Extent of calculations and rule of fractions. (a) The percentage of excess tobacco available for marketing from a farm, hereinafter referred to as the "percent excess," shall be expressed in tenths and fractions of less than a tenth shall be dropped.

(b) The amount of penalty per pound upon marketings of tobacco subject to penalty, hereinafter referred to as the "converted rate of penalty," shall be expressed in tenths of a cent and fractions of less than a tenth shall be dropped, except that if the resulting converted rate of penalty is less than a tenth, it shall be expressed in hundredths and fractions of less than a hundredth shallbe dropped.

PARM MARKETING QUOTAS AND MARKETING CARDS

§ 725.334 Amount of farm marketing quota. The marketing quota for a farm shall be the actual production of tobacco on the farm acreage allotment, as established for the farm in accordance with §§ 725.311 to 725.326, inclusive (Tobacco 13, Part I, Flue-cured and Burley Tobacco Marketing Quota Regulations, 1947-48, as amended) (11 F. R. 10251; 12 F. R. 61). The actual production of the farm acreage allotment shall be the

average yield per care of the entire acreage of tobacco harvested on the farm in 1947 times the farm acreage allotment. The excess tobacco on any farm shall be (a) that quantity of tobacco which is equal to the average yield per acre of the entire acreage of tobacco harvested on the farm in 1947 times the number of acres harvested in excess of the farm acreage allotment, plus (b) any quantity of tobacco carried over from a prior marketing year which, if marketed during the 1946-47 marketing year, would have been subject to penalty when marketed. The acreage of tobacco determined for a farm for the purpose of issuing the correct marketing card for the farm, as provided in § 725.336, shall be considered the harvested acreage for the farm unless the farm operator furnishes proof satisfactory to the county committee that a portion of the acreage planted will not be harvested or that a representative portion of the production of the acreage harvested will be disposed of other than by marketing.

§ 725.335 No transfers. There shall be no transfer of farm marketing quotas.

§ 725.336 Issuance of marketing cards. A marketing card shall be issued for every farm having tobacco available for marketing. Subject to the approval of the county committee, two or more marketing cards may be issued for any farm. All entries on each marketing card shall be made in accordance with the instructions for issuing marketing cards. Upon the return to the office of the county committee of the marketing card after all the memoranda of sale have been issued therefrom and before the marketing of tobacco from the farm has been completed, a new marketing card of the same kind, bearing the same name, information and identification as the used card shall be issued for the farm. A new marketing card of the same kind shall be issued to replace a card which has been reported to the county committee as having been lost, destroyed, or stolen.

(a) Within Quota Marketing Card (Tobacco 20) A Within Quota Marketing Card authorizing the marketing without penalty of the tobacco available for marketing shall be issued for a farm under the following conditions:

(1) If the harvested acreage of tobacco in 1947 is not in excess of the farm acreage allotment; if any excess tobacco carried over from any prior marketing year can be marketed without penalty under the provisions of § 725.342 (b), and if the operator of the farm does not operate another farm having excess tobacco.

(2) If excess tobacco produced on the farm is disposed of in accordance with

§ 725.343, or

(3) If the tobacco was grown for experimental purposes on land-owned or leased by a publicly-owned agricultural experiment station and is produced at public expense by employees of the experiment station, or if the tobacco was produced by farmers pursuant to an agreement with a publicly-owned experiment station whereby the experiment station bears the costs and risks incident to the production of the tobacco and the proceeds from the crop inure to the benefit of the experiment station; Provided, That such agreement is approved by the State Committee prior to the issuance of a marketing card for the farm.

(b) Excess Marketing Card (Tobacco 21) An Excess Marketing Card showing the extent to which marketings of tobacco from a farm are subject to penalty shall be issued unless a within quota card is required to be issued for the farm under paragraph (a) of this section, except that-if (1) the farm operator fails to disclose or otherwise furnish, or prevents the county committee from obtaining any information necessary to the issuance of the correct marketing card. an excess marketing card shall be issued showing that all tobacco from the farm is subject to the rate of penalty set forth in § 725.345, or (2) the county committee determines that it is necessary to issue a "zero-penalty" excess marketing card in order to protect the interest of the Government and insure proper identification of and accounting for tobacco produced on the farm and the proper use of the marketing card issued for the

§ 725.337 Person authorized to issue cards. The county committee shall designate one person to sign marketing cards for farms in the county as issuing officer. The issuing officer may, subject to the approval of the county committee, designate not more than three persons to sign his name in issuing marketing cards: Provided, That each such person shall place his initials immediately beneath the name of the issuing officer as written by him on the card.

§ 725.338 Rights of producers in marketing cards. Each producer having a share in the tobacco available for marketing from a farm shall be entitled to the use of the marketing card for marketing his proportionate share.

§ 725.339 Successors in interest. Any person who succeeds in whole or in part to the share of a producer in the tobacco available for marketing from a farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the

§ 725.340 Invalid cards. A marketing card shall be invalid if:

(a) It is not assued or delivered in the form and manner prescribed;

(b) Entries are omitted or incorrect: (c) It is lost, destroyed, stolen, or becomes illegible;

(d) Any erasure or alteration has been made, and not properly initialed.

In the event any marketing card becomes invalid (other than by loss, destruction, or theft, or by omission, alteration or incorrect entry which cannot be corrected by a field assistant), the farm operator, or the person having the card in his possession, shall return it to the county office at which it was issued.

If an entry is not made on a marketing card as required, either through omission or incorrect entry, and the proper entry is made and initialed by a field assistant, then such card shall become valid.

§ 725.341 Report of misuse of marketing card. Any information which causes a field assistant, a member of a State, county, or community committee, or an employee of a State or county committee, to believe that any tobacco which actually was produced on one farm has been or is being marketed under the marketing card issued for another farm shall be reported immediately by such person to the State Committee.

MARKETING OR OTHER DISPOSITION OF TOBACCO AND PENALTIES

§ 725.342 Extent to which marketings from a farm are subject to penalty. (a) Marketings of tobacco from a farm having no "carry-over" tobacco available for marketing shall be subject to penalty by the percent excess determined as follows: divide the acreage of tobacco harvested in excess of the farm acreage allotment and not disposed of under § 725.343 by the total acreage of tobacco harvested from the farm.

(b) Marketings of tobacco from a farm having "carry-over" tobacco available for marketing shall be subject to penalty by the percent excess deter-

mined as follows:

(1) Determine the number of "carryover" acres by dividing the number of pounds of "carry-over" tobacco from the prior years by the normal yield for the farm for that year.

(2) Determine the number of "within quota carry-over" acres by multiplying the "carry-over" acres (subparagraph (1) of this paragraph) by the "percent within quota" (i. e. 100 percent minus the "percent excess") for the year in which the "carry-over" tobacco was produced.

(3) Determine the "total acres" of tobacco by adding the "carry-over" acres (subparagraph (1) of this paragraph) and the acreage of tobacco harvested in the current year.

(4) Determine the "excess acres" by subtracting from the "total acres" (subparagraph (3) of this paragraph) the sum of the 1947 allotment and the "within quota carry-over" acres (subparagraph (2) of this paragraph)

(5) Determine the percentage subject to penalty by dividing the "total acres" into the "excess acres" (subparagraph

(4) of this paragraph)

(6) The burden of any penalty with respect to "carry-over" tobacco shall be borne by those persons having an interest in such tobacco.

(c) For the purpose of determining the penalty due on each marketing by a producer of tobacco subject to penalty, the converted rate of penalty per pound shall be determined by multiplying the applicable rate of penalty by the percent excess obtained under paragraph (a) or (b) of this section. The memorandum of sale issued to identify each such marketing shall show the amount of penalty

§ 725.343 Disposition of excess tobacco. The farm operator may elect to give satisfactory proof of disposition of excess tobacco prior to the marketing of any tobacco from the farm by any of the following methods:

(a) By a declaration of intention to market all tobacco available for marketing and the payment at the office of the ccunty committee by check or draft or, if required by the county committee, by certified check, cashier's check or postal money order drawn payable to the Treasurer of the United States, in an amount equal to the penalty which would be due upon the marketing of all tobacco available for marketing. Any additional amount of penalty due after all marketings of tobacco from the farm have been made shall be paid by the operator not later than 20 days after receipt of notice of such additional penalty. Any amount collected in excess of the penalty due shall be refunded.

(b) By storage of the excess tobacco, the tobacco so stored to be representative of the entire 1947 crop produced on the farm, and posting of a bond approved by the county committee and the State Committee in the penal sum of twice the amount of penalty which will become due upon the marketing of the excess tobacco.

(c) By furnishing to the county committee satisfactory proof that excess tobacco representative of the entire crop will not be marketed.

§ 725.344 Identification of marketings. Each marketing of tobacco from a farm shall be identified by an executed memorandum of sale from the marketing card (Tobacco 20 or Tobacco 21) issued for the farm on which the tobacco was produced. In addition, in the case of nonwarehouse sales each marketing shall be identified by an executed bill of nonwarehouse sale (reverse side of memorandum of sale) except that such form is not required to be executed by warehousemen who are authorized on Tobacco 23 to issue memoranda of sale.

(a) Memorandum of sale. If a memorandum of sale is not executed to identify a warehouse sale of producer's tobacco by the end of the sale day on which the tobacco was marketed, the marketing shall be a suspended sale, and, unless a memorandum identifying the tobacco so marketed is executed within four weeks after such sale day, the marketing shall be identified by Tobacco 28, Sale Without Marketing Card as a marketing of excess tobacco. The memorandum of sale or Tobacco 28 shall be executed only by a field assistant with the following exceptions.

(1) A-warehouseman, or his authorized representative, who has been designated on Tobacco 23 may issue a memorandum of sale to identify a warehouse sale if a field assistant is not available at the warehouse when the marketing card is presented. Each memorandum of sale issued by a warehouseman to cover a warehouse sale shall be presented promptly by him to the field assistant for verification with the warehouse records.

(2) In the case of flue-cured tobacco only, a dealer, or his authorized representative, operating a receiving point for scrap tobacco at a redrying plant (and other regular receiving points operated by such dealer or his agent or employees) or at an auction warehouse, who keeps records showing the information specified in § 725.352, and who has been authorized on Tobacco 23, may issue a memorandum of sale covering a purchase of scrap tobacco only if the bill of nonwarehouse sale has been executed.

The authorization on Tobacco 23 to issue memoranda of sale may be withdrawn by the State Committee from any warehouseman or dealer if such action is determined to be necessary in order to properly enforce the provisions of §§ 725.330 to 725.360, inclusive. The authorization shall terminate upon receipt of written notice setting forth the State Committee's reason therefor.

Each excess memorandum of sale issued by a field assistant shall be verified by the warehouseman or dealer (or his representative) to determine whether the amount of penalty shown to be due has been correctly computed and such warehouseman or dealer shall not be relieved of any liability with respect to the amount of penalty due because of any error which may occur in executing the memorandum of sale.

(b) Bill of nonwarehouse sale. Each nonwarehouse sale shall be identified by a bill of nonwarehouse sale completely executed by the buyer and the farm operator, except that if such tobacco is purchased by or for a warehouseman who is authorized on Tobacco 23 to issue memoranda of sale, he or his representative who is also authorized shall issue a memorandum of sale identifying each such purchase, record the purchase in Tobacco 25, Dealer's Record, and attach

dum of sale. The word "scrap" shall be plainly written on any bill of nonwarehouse sale or memorandum of sale executed to cover scrap tobacco, and all such bills of nonwarehouse sale shall be delivered to a person at a scrap receiving point who is authorized to issue memoranda of safe.

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Each bill of nonwarehouse sale covering any marketing except scrap tobacco shall be presented to a field assistant for the issuance of a memorandum of sale and for recording in Tobacco 25.

§ 725,345 Rate of penalty. The penalty per pound upon marketings of excess tobacco subject to marketing quotas shall be nineteen (19) cents per pound in the case of flue-cured tobacco and sixteen (16) cents per pound in the case of Burley tobacco.

With respect to tobacco marketed from farms having excess tobacco available for marketing the penalty shall be paid upon that percentage of each lot of tobacco marketed which the tobacco available for marketing in excess of the farm quota is of the total amount of tobacco available for marketing from the farm.

§ 725.346 Persons to pay penalty. The person to pay the penalty due on any marketing of tobacco subject to penalty shall be determined as follows:

(a) Warehouse sale. The penalty due on marketings by a producer through a warehouse shall be paid by the warehouseman who may deduct an amount equivalent to the penalty from the price paid to the producer.

(b) Nonwarehouse sale. The penalty due on tobacco purchased directly from a producer other than at public auction through a warehouse (nonwarehouse sale) shall be paid by the purchaser of the tobacco who may deduct an amount equivalent to the penalty from the price paid to the producer.

(c) Marketings through an agent. The penalty due con marketings by a producer through an agent who is not a warehouseman shall be paid by the agent who may deduct an amount equivalent to the penalty from the price

paid to the producer.

(d) Marketings outside United States. The penalty due on marketings by a producer directly to any person outside the United States shall be paid by the producer.

§ 725.347 Marketings deemed to be excess tobacco. Any marketing of tobacco under any one of the following conditions shall be deemed to be a marketing of excess tobacco.

(a) Warehouse sale. Any warehouse sale of tobacco by a producer which is not identified by a valid memorandum of sale within four weeks following the date of marketing shall be identified by a Tobacco 28, and shall be deemed to be a marketing of excess tobacco. The penalty thereon shall be paid by the warehouseman who may deduct an amount equivalent to the penalty from the amount due the producer.

(b) Nonwarehouse sale. Any nonwarehouse sale which (1) is not identified by a valid memorandum of sale and (2) is not recorded in Tobacco 25 within one week following the date of purchase, or (3) if purchased prior to the opening of the local auction markets, is not recorded in Tobacco 25 within one week following the first sale day of the local auction markets, shall be deemed to be a marketing of excess tobacco. The penalty thereon shall be paid by the purchaser of such tobacco.
(c) Leaf account tobacco. The part

or all of any marketing by a warehouseman which such warehouseman represents to be a leaf account resale but which when added to prior leaf account resales, as reported under §§ 725.330 to 725.360, inclusive, is in excess of prior leaf account purchases shall be deemed to be a marketing of excess tobacco unless and until such warehouseman furnishes proof acceptable to the Director, Tobacco Branch, Production and Marketing Administration, showing that such tobacco is not a marketing of excess tobacco. The penalty found to be due thereon shall be paid by the warehouseman.

(d) Dealer's tobacco. The part or all of any marketing of tobacco by a dealer which such dealer represents to be a resale but which when added to prior resales by such dealer is in excess of the total of his prior purchases as reported on Tobacco 25 shall be deemed to be a marketing of excess tobacco unless and until such dealer furnishes proof acceptable to the Director, Tobacco Branch, Production and Marketing Administration, showing that such marketing is not a marketing of excess tobacco. The penalty thereon shall be paid by the dealer.

(e) Marketings not reported. Any resale of tobacco which under §§ 725.330 to 725.360, inclusive, is required to be reported by a warehouseman or dealer but which is not so reported within the time and in the manner required by §§ 725.330 to 725.360, inclusive, shall be deemed to be a marketing of excess tobacco unless and until such warehouseman or dealer furnishes a report of such. resale which is acceptable to the Director, Tobacco Branch, Production and Marketing Administration. The penalty. thereon shall be paid by the warehouseman or dealer who fails to make the report as required.

(f) Producer marketings. If any producer falsely identifies or fails to account for the disposition of any tobacco produced on a farm, an amount of tobacco equal to the normal yield of the number of acres harvested in 1947 in excess of the farm acreage allotment shall be deemed to have been a marketing of excess tobacco from such farm. The penalty thereon shall be paid by the prodlucer.

§ 725.348 Payment of penalty. Penalties shall become due at the time the tobacco is marketed and shall be paid by remitting the amount thereof to the State Committee not later than the end of the calendar week following the week in which the tobacco became subject to penalty. A draft, money order, or check drawn payable to the Treasurer of the United States may be used to pay any penalty, but any such draft or check shall be received subject to payment at par.

If the penalty due on any warehouse sale of tobacco by a producer as determined under §§ 725.330 to 725.360, inclusive, is in excess of the net proceeds of such sale (gross amount for all lots included in the sale less usual warehouse charges), the amount of the net proceeds accompanied by a copy of the warehouse bill covering such sale may be remitted as the full penalty due. Usual warehouse charges shall not include (a) advances to producers, (b) charges for hauling, or (c) any other charges not usually incurred by producers in marketing tobacco through an auction warehouse.

§ 725.349 Request for return of penalty. Any producer of tobacco, after the marketing of all tobacco available for marketing from the farm, and any other person who bore the burden of the payment of any penalty may request the return of the amount of such penalty which is in excess of the amount required under §§ 725,330 to 725.360, inclusive, to be paid. Such request shall be filed with the county committee within two (2) years after the payment of the penalty.

RECORDS AND REPORTS

§ 725.350 Producer's records and reports—(a) Report on marketing card. The operator of each farm on which to-bacco is produced in 1947 shall return to the office of the county committee each marketing card issued for the farm whenever marketings from the farm are completed and in no event later than thirty days after the close of the to-bacco auction markets for the locality

in which the farm is located. Failure to return the marketing card within the time specified (after formal notification) shall constitute failure to account for disposition of tobacco marketed from the farm in the event that a satisfactory account of such disposition is not furnished otherwise and the allotment next established for such farm shall be reduced.

(b) Additional reports by producers. In addition to any other reports which may be required under §§ 725.330 to 725.360, inclusive, the operator of each farm or any other person having an interest in the tobacco grown on the farm (even though the harvested acreage does not exceed the acreage allotment and even though no allotment was established for the farm) shall upon written request by registered mail from the State committee and within 10 days after the deposit of such request in the United States mails, addressed to such person at his last known address, furnish the Secretary a written report of the disposition made of all tobacco produced on the farm by sending the same to the State committee showing, as to the farm at the time of filing said report, (1) the number of acres of tobacco harvested, (2) the total production of tobacco, (3) the amount of tobacco on hand and its location, and (4) as to each lot of tobacco marketed, the name and address of the warehouseman, dealer, or other person to or through whom such tobacco was marketed and the number of pounds marketed, the gross price, and the date of the marketing. Failure to file the report as requested or the filing of a report which is found by the State committee to be incompléte or incorrect shall constitute failure of the producer to account for disposition of tobacco produced on the farm and the allotment next established for such farm shall be reduced.

§ 725.351 Warehouseman's records and reports—(a) Record of marketing. Each warehouseman shall keep such records as will enable him to furnish the Secretary the following information with respect to each sale or resale of tobacco made at his warehouse:

(1) Name of seller (and, in the case of a sale for a producer, the name of the operator of the farm on which the to-bacco was produced)

(2) Name of purchaser.

(3) Date of sale.

(4) Number of pounds sold.

(5) Gross sale price.

(6) Amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer.

Records of all purchases and resales of tobacco by the warehouseman shall be maintained to show a separate account for

- (i) Nonwarehouse sales by farmers of tobacco purchased by or on behalf of the warehouseman.
- (ii) Purchases and resales for the warehouse leaf account.
 - (iii) Resales of floor sweepings.
 - (iv) Resales of pick-ups.

Any warehouseman who grades tobacco for farmers shall maintain a separate account showing the approximate amount of scrap tobacco obtained from the grading of tobacco from each farm.

In the case of resales for dealers the name of the dealer making each resale shall be shown on the warehouse records so that the individual lots of tobacco sold by the dealer can be identified.

(b) Identification of sale on check register The serial number of the memorandum of sale issued to identify each marketing of tobacco from a farm or the number of the warehouse bill(s) covering each such marketing shall be recorded on the check register or check stub for the check written with respect to such sale of tobacco.

(c) Memorandum of sale and bill of nonwarehouse sale. A record in the form of a valid memorandum of sale or a sale without marketing card shall be obtained by a warehouseman to cover each marketing of tobacco from a farm through the warehouse and each nonwarehouse sale of tobacco purchased by the warehouseman. For a nonwarehouse sale of tobacco purchased by or for a warehouseman who is not authorized on Tobacco 23 to issue memoranda of sale, no memorandum of sale shall be issued unless the bill of nonwarehouse sale on the reverse side of the memorandum is executed. Any warehouseman who obtains possession of any scrap tobacco in the course of grading tobacco from any farm shall obtain a memorandum of sale to cover the amount of such scrap.

(d) Suspended sale record. Any warehouse bills covering farm tobacco for which memoranda of sale have not been issued at the end of the sale day shall be presented to a field assistant who shall stamp such bills "Suspended" write thereon the serial number of the suspended sale, and record the bills on Tobacco 29, Field Assistant's Report: Provided, That if a field assistant is not available, the warehouseman may stamp such bills "Suspended" and deliver them to a field assistant when one is available.

(e) Warehouse entries on dealer's record. Each warehouseman shall enter on Tobacco 25 the total purchases and resales made by each dealer or other warehouseman during each sale day at the warehouse. If any tobacco resold by the dealer is tobacco bought by him from a crop produced prior to 1947 the entry on Tobacco 25 shall clearly show such fact.

(f) Record and report of purchases and resales. Each warehouseman shall keep a record and make reports on Tobacco 25, Dealer's Record, showing:

(1) All purchases of tobacco directly from producers other than at public auction through a warehouse (nonwarehouse sales)

(2) All purchases and resales of tobacco at public auction through warehouses other than his own.

(3) All purchases of tobacco from dealers other than warehousemen and resales of tobacco to dealers other than warehousemen.

The county copy of each memorandum of sale issued to identify each purchase under subparagraph (1) of this paragraph shall accompany the report on which such purchase is recorded.

(g) Season report of warehouse business. Each warehouseman shall furnish

the State Committee not later than thirty (30) days following the last sale day of the marketing season a report on Tobacco 26, Auction Warehouse Report, showing for each dealer or buyer (1) the total pounds and gross price of tobacco purchased and resold on the warehouse floor during the 1947–48 marketing year and (2) the total pounds and gross price of tobacco purchased and resold by such warehouseman during the 1947–48 marketing year.

- (h) Report of penalties. Each warehouseman shall make reports on Tobacco 27, Report of Penalties, showing the information required with respect to each sale subject to penalty. Tobacco 27 shall be prepared for each week and forwarded, together with remittance of the penalties due, as shown thereon, to the State Committee not later than the end of the calendar week following the week in which the tobacco became subject to penalty
- (i) Report of resales. Each warehouseman shall make reports on Tobacco 32, Report of Resales, showing the information required with respect to each resale of tobacco at auction on the warehouse floor. Tobacco 32 shall be prepared for each sale day and forwarded to the State Committee not later than the end of the calendar week following the week in which the tobacco was resold.
- § 725.352 Dealer's records and reports. Each dealer, except as provided in § 725.-353, shall keep the records and make the reports as provided by this section.
- (a) Report of dealer's name, address and registration number. Each dealer shall properly execute and the field assistant shall detach and forward to the State Committee "Receipts for Dealer's Record" contained in Tobacco 25 which is issued to the dealer.
- (b) Record and report of purchases and resales. Each dealer shall keep a record and make reports on Tobacco 25, Dealer's Record; showing all purchases and resales of tobacco made by the dealer and, in the event of resale of tobacco bought from a crop produced prior to 1947 the fact that such tobacco was bought by him and carried over from a crop produced prior to 1947.
- (c) Report of penalties. Each dealer shall make a report on Tobacco 27, Report of Penalties, showing the information with respect to all purchases subject to penalty made by him during each calendar week. The penalties listed on each such report shall be remitted with the report.
- (d) Memorandum of sale and bill of nonwarehouse sale. A record in the form of a valid memorandum of sale shall be obtained by a dealer to cover each purchase of tobacco directly from a producer other than at auction through a warehouse (nonwarehouse sale). No memorandum of sale shall be issued identifying such purchase unless the bill of nonwarehouse sale, on the reverse side of the memorandum of sale, has been executed.
- (e) Record and report of scrap tobacco. Each dealer operating a receiving point for scrap tobacco who has been authorized on Tobacco 23 to issue memo-

randa of sale, shall keep a record and make reports on Tobacco 25 showing all tobacco received. Such reports shall be accompanied by memoranda of sale and bills of nonwarehouse sale with respect to all tobacco covered by the reports.

- (f) Additional records. Each dealer shall keep such records, in addition to the foregoing, as may be necessary to enable him to furnish the Secretary the following information with respect to each lot of tobacco purchased or sold by him:
- (1) Name of the seller, and in the case of a purchase from a producer, the name of the operator of the farm on which the tobacco was produced.
 - (2) Name of the purchaser.
 - (3) Date of the transaction.
 - (4) Number of pounds sold.
 - (5) Gross purchase or sale price,
- (6) Amount of any penalty and the amount of any deduction on account of penalty from the price paid the producer.
- (7) In the event of a resale of tobacco bought by him and carried over from a crop produced prior to 1947 the fact that such tobacco was so bought and carried over.
- 'All reports shall be forwarded to the State Committee not later than the end of the week following the calendar week covered by the reports.
- § 725.353 Dealers exempt from regular records and reports. Any dealer who does not purchase or otherwise acquire tobacco except at a warehouse sale and who does not resell, in the form in which tobacco ordinarily is sold by farmers, more than ten percent of the tobacco purchased by him, shall not be subject to the provisions of § 725.352; but each such dealer shall make such reports to the Secretary as the Director, Tobacco Branch, Production and Marketing Administration, may find necessary to enforce §§ 725.330 to 725.360, inclusive.
- § 725.354 Records and reports of truckers and persons redrying, prizing or stemming tobacco. (a) Every person engaged in the business of trucking tobacco for producers shall keep such records as will enable him to furnish the Secretary a report with respect to each lot of tobacco received by him showing (1) the name and address of the farm operator, (2) the date of receipt of the tobacco, (3) the number of pounds received, and (4) the place to which it was delivered.
- (b) Every person engaged in the business of redrying, prizing, and stemming tobacco for producers shall keep such records as will enable him to furnish the Secretary a report showing (1) the information required above for truckers, and in addition, (2) the purpose for which the tobacco was received, (3) the amount of advance made by him on the tobacco, and (4) the disposition of the tobacco.

Each such person shall make such reports to the Secretary as the Director, Tobacco Branch, may find necessary to enforce §§ 725.330 to 725.360, inclusive.

§ 725.355 Separate records and reports from persons engaged in more than one business. Any person who is required to

keep any record or make any report as a warehouseman, dealer, processor, or as a person engaged in the business of redrying, prang, or stemming tobacco for producers, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged to the same extent for each such business as if he were engaged in no other business.

§ 725.356 Failure to keep records or make reports. Any warehouseman, dealer, processor or common carrier of tobacco, or person engaged in the business of redrying, prizing or stemming tobacco for producers, who fails to make any report or keep any record as required under §§ 725.330 to 725.360, inclusive, or who makes any false report or record. shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$500; and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required under these regulations within fifteen days after notice to him of such violation shall be subject to an additional fine of \$100 for each ten thousand pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: Provided, That such fine shall not exceed \$5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at an established place of business operated by him, or both. Notice of any violation by a tobacco warehouseman or dealer shall be given by the Director, Tobacco Branch.

§ 725.357 Examination of records and reports. For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report but not so furnished, any warehouseman, dealer, processor, common carrier or person engaged in the business of redrying, prizing, or stemming tobacco for producers shall make available for examination upon written request by the State Committee or Director, Tobacco Branch, such books, papers, records, accounts, correspondence, contracts, documents, and memoranda as the State Committee or Director, Tobacco Branch, has reason to believe are relevant and are within the control of such person.

§ 725.358 Length of time records and reports to be kept. Records required to be kept and copies of the reports required to be made by any person under §§ 725.350, inclusive, for the 1947-48 marketing year shall be kept by him until June 30, 1950, in the case of flue-cured tobacco and September 30, 1950, in the case of Burley tobacco. Records shall be kept for such longer period of time as may be requested in writing by the Director, Tobacco Branch.

§ 725.359 Information confidential. All data reported to or acquired by the Secretary pursuant to the provisions of §§ 725.330 to 725.360, inclusive, shall be kept confidential by all officers and employees of the United States Department

of 'Agriculture and by all members and employees of county committees and only such data so reported or acquired as the Director, Field Service Branch, Production and Marketing Administration, deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the act.

§ 725.360 Redelegation of authority. Any authority delegated to the State Committee by these regulations may be redelegated by the State Committee.

Note: The record keeping and reporting regularements of these regulations have been approved by the Bureau of the Budget'in accordance with the Federal Reports Act of 1942. Budget Bureau No. 40-EL281.2.

Done at Washington, D. C. this 9th day of May 1947. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLINTON P. ANDERSON, Secretary of Agriculture.

[F. R. Doc. 47-4515; Filed, May 13, 1947; 8:46 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter Il—Office of Alien Property, Department of Justice

PART 503-SUBSTANTIVE RULES

LIMITATIONS ON REPRESENTATIVE ACTIVITIES
BY FORMER EMPLOYEES

Under the authority of the Trading with the Enemy Act, as amended, and Executive orders issued thereunder, and pursuant to law, § 503.51 (General Order No. 32) is hereby amended to read as follows:

§ 503.51 Limitations on representative activities by former employees. (a) No person shall appear in a representative capacity before the Office of Alien Property in a particular matter if such person, or one associated with him in the particular matter, personally considered it or gained personal knowledge of the facts thereof while connected with the Office of Alien Property Custodian or the Office of Alien Property.

(b) No former officer, clerk, or employee of the Office of Alien Property Custodian or the Office of Alien Property may appear in a representative capacity before the Office of Alien Property within two years after the termination of his incumbency of such position unless he obtains the prior approval of the Director of the Office of Alien Property in each matter. To obtain such approval he must file an affidavit stating:

(1) His former connection with the Office of Alien Property Custodian or the

Office of Alien Property

(2) That while he was connected with the Office of Alien Property Custodian or the Office of Alien Property the matter was not pending therein, or if it was so pending:

(i) That he gave no personal consideration to it and gained no personal knowledge of the facts thereof while so connected; and

(ii) That he is not, and will not be, associated in the particular matter with

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any person who has personally considered it or gained personal knowledge of the facts thereof while connected with the Office of Alien Property Custodian or the Office of Alien Property;

(3) That his employment in the matter is not prohibited by Rev, Stat. sec. 190 (5 U. S. C. sec. 99) or by sec. 19 (e) of the Contract Settlement Act of 1944 (41 U. S. C. sec. 119).

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925, 50 U.S. C. App. 1, 50 U.S. C. App., Sup. V 5 (b) · E. O. 9193, July 6, 1942, 7 F R. 5205, 3 CFR Cum. Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., this 6th day of May 1947.

Tom C. Clark, Attorney General.

[F. R. Doc. 47-4526; Filed, May 13, 1947; 8:46 a. m.]

TITLE 10—ARMY WAR DEPARTMENT

Chapter VII—Personnel

PART 704—ENLISTMENT OF AVIATION CADETS

AVIATION CADET TRAINING PROGRAM

Effective May 10, 1947, the Aviation Cadet Pilot Training Program is reopened to military and civilian personnel within the zone of interior in accordance with §§ 704.1 to 704.7, inclusive. The Aviation Cadet Ground Duty Training Program will remain mactive.

Applications of civilians will be forwarded to the nearest Army Air Force examining board or to the Commanding General, Army Air Forces, Washington 25, D. C. Army Air Forcee examining boards are presently located as set forth below in § 704.8.

§ 704.8 Location of Army Air Force examining boards.

Maxwell Field, Ala. Brookley Field, Ala. Davis-Monthan Fld, Tucson, Ariz. Williams Field, Chandler, Ariz. Fairfield, Suisun AAF, Calif. Hamilton Field, Calif. McClellan Field, Calif. March Field, Riverside, Calif. Mather Field, Calif. Lowry Field, Denver, Colo. Peterson Field, Colorado Springs, Colo. Boca-Raton AAF, Boca Raton, Fla. Eglin Field, Fla. MacDill Field, Tampa, Fla. Lawson Field, Ft. Benning, Ga. Robins Field, #1, Ga. Marietta AAF, Marietta, Ga. Chanute Field, Ill. Scott Field, Ill. Sherman Field, Ft. Leavenworth, Kans. Topeka AAF, Pauline, Kans. Barksdale Field, Shreveport, La. Westover Field, Mass. Selfridge Field, Mich. Keesler Field, Miss. Great Falls AAF, Great Falls, Mont. Offutt Field, Fort Crook, Nebr. Roswell AAF, Roswell, N. M.
Mitchel Field, Long Island, N. Y.
Stewart Field, Newburgh, N. Y.
Pope Field, Fort Bragg, N. C. Lockbourne AAB, Columbus, Ohio.

Wright Field, Dayton, Ohio.
Tinker Field, Oklahoma City, Okla.
Hq 11th Air Force, Harrisburg, Pa.
Olmsted Field, Middletown, Pa.
Shaw Field, Sumter, S. C.
Biggs Field, Tex.
Bergstrom Field, Austin, Tex.
Fort Worth AAF, Fort Worth, Tex.
Kelly Field, Tex.
Randolph Field, Tex.
Hill Field, Utah.
Langley Field, Va.
McChord Field, Wash.
Spokane AAF, Spokane, Wash.
Gelger Field, Wash.
Bolling Field, Washington 20, D. C.
Andrews Field, Washington 20, D. C.

[WD Cir 105, Apr. 25, 1947] (55 Stat. 239; 10 U. S. C. 297a)

[SEAL] EDWARD F WITSELL,

Major General,

The Adjutant General.

[F. R. Doc. 47-4509; Filed, May 13, 1947; 8:45 a. m.]

TITLE 14-CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amdt. 155]

PART 601—DESIGNATION OF AIRWAY TRAF-FIC CONTROL AREAS, AIRPORT APPROACH ZONES, AIRPORT TRAFFIC ZONES AND RA-DIO FIXES

CANCELLATION OF AIRPORT APPROACH ZONES
AND ESTABLISHMENT OF AIRPORT TRAFFIC
ZONES

It appearing that: (1) The increased volume of air traffic at certain points necessitates, in the interest of safety in air commerce, the immediate cancellation of airport approach zones and the establishment of airport traffic zones at such points; and (2) the cancellation of airport approach zones and the establishment of airport traffic zones referred to in (1) above have been coordinated with the civil operators involved, the Army and the Navy through the Air Coordinating Committee, Airspace Subcommittee;

And finding that: The general notice of proposed rule making and public procedure provided for in section 4 (a) of the Administrative Procedure Act is impracticable and unnecessary now, therefore, acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By adding the following to § 601.104 Airway traffic control area extensions.

§ 601.10444 Airway traffic control area extension (Presque Isle, Maine) From the Presque Isle, Maine, radio range station, within 5 miles either side of the centerline of the south course of the Presque Isle radio range, extending 20 miles south of the Presque Isle, Maine, radio range station.

§ 601.10445 Airway traffic control area extension (Montpelier, Vt.) From the Montpelier, Vt., radio range station, within 5 miles either side of the centerline of the northeast course of the Mont-

pelier, Vt., radio range, extending 20 miles northeast of the Montpelier, Vt., radio range station.

§ 601.10446 Airway Traffic control area extension (Bangor Maine) From the Bangor, Maine, radio range station, within 5 miles either side of the centerline of the northwest course of the Bangor, Maine, radio range, extending 30 miles northwest of the Bangor, Maine, radio range station; and, within 5 miles either side of the centerline of the southeast course of the Bangor, Maine, radio range extending 10 miles southeast of Dow Field.

§ 601.10447 Airway traffic control area extension (Syracuse, N. Y.) From the Syracuse, N. Y., radio range station, within 5 miles either side of the centerline of the north course of the Syracuse, N. Y., radio range, extending 20 miles north of the Syracuse, N. Y., radio range station.

§ 601.10448 Airway traffic control area extension (Utica, N. Y.) From the Utica, N. Y., radio range station, within 5 miles either side of the centerline of the northwest course of the Utica, N. Y., radio range, extending 20 miles northwest of the Utica, N. Y., radio range station.

§ 601.10449 Airway traffic control area extension (Hartford, Conn.). From the Hartford, Conn., radio range station, within 5 miles either side of the centerline of the southeast course of the Hartford radio range, extending 20 miles southeast of the Hartford, Conn., radio range station.

§ 601.10450 Airway traffic control area extension (Portland, Maine) From the Portland, Maine, radio range station, within 5 miles either side of the centerline of the northwest course of the Portlandland, Maine, radio range, extending 20 miles northwest of the Portland, Maine, radio range station.

§ 601.10451 Airway traffic control area extension (Westfield, Mass.) From the Westfield, Mass., radio range station, within 5 miles either side of the centerline of the north course of the Westfield radio range, extending 10 miles north of the Barnes Airport.

§ 601.10452 Airway traffic control area extension (Houlton, Maine) From the Houlton; Maine, radio range station, within 5 miles either side of the centerline of the south course of the Houlton, Maine, radio range, extending 10 miles south of the Houlton Army Air Field.

§ 601.10453 Airway traffic control area extension (Philipsburg, Pa.) From the Philipsburg, Pa., radio range station, within 5 miles either side of the centerline of the north course of the Philipsburg, Pa., radio range, extending 20 miles north of the Philipsburg, Pa., radio range station.

§ 601.10454 Airway traffic control area extension (Elmira, N. Y.) From the Elmira, N. Y., radio range station, within 5 miles either side of the centerline of the southwest course of the Elmira, N. Y., radio range, extending 20 miles south-

west of the Elmira, N. Y., radio range station.

§ 601.10455 Airway traffic control area extension (Wilkes-Barre, Pa.). From the Wilkes-Barre, Pa., radio range station, within 5 miles either side of the centerline of the northeast course of the Wilkes-Barre, Pa., radio range, extending 20 miles northeast of the Wilkes-Barre, Pa., radio range station.

§ 601.10456 Airway traffic control area extension (Altoona, Pa.) From the Altoona, Pa., radio range station, within 5 miles either side of the centerline of the north course of the Altoona, Pa., radio range, extending 20 miles north of the Altoona, Pa., radio range station; and within 5 miles either side of the centerline of the south course of the Altoona, Pa., radio range, extending 10 miles south of the Altoona-Blair County Airport.

§ 601.10457 Airway traffic control area extension (Martinsburg, W Va.) From the Martinsburg, W. Va., radio range station, within 5 miles either side of the centerline of the southwest course of the Martinsburg, W. Va., radio range, extending 20 miles southwest of the Martinsburg, W. Va., radio range station; and within 5 miles either side of the centerline of the northeast course of the Martinsburg, W Va., radio range, extending 10 miles northeast of the Shepherd Airport.

§ 601.10458 Airway traffic control area extension (Lynchburg, Va.) From the Lynchburg, Va., radio range, within 5 miles either side of the centerline of the north course of the Lynchburg, Va., radio range, extending 20 miles north of the Lynchburg, Va., radio range station; and within 5 miles either side of the centerline of the south course of the Lynchburg, Va., radio range, extending 10 miles south of the Preston Glenn Airport.

§ 601.10459 Airway traffic control area extension (Elkins, W Va.) From the Elkins, W Va., radio range station, within 5 miles either side of the center-line of the south course of the Elkins radio range, extending 10 miles south of the Elkins, W. Va., Airport.

§ 601.10460 Airway traffic control area extension (Gordonsville, Va.) From the Gordonsville, Va., radio range station, within 5 miles either side of the centerline of the southeast course of the Gordonsville, Va., radio range, extending 10 miles southeast of the C. A. A. Intermediate Field.

§ 601.10461 Airway traffic control area extension (Raleigh, N. C.) From the Raleigh, N. C., radio range station, within 5 miles either side of the centerline of the southeast course of the Raleigh, N. C., radio range, extending 20 miles southeast of the Raleigh, N. C., radio range station.

§ 601.10462 Airway traffic control area extension (Roanoke, Va.). From the Roanoke, Va., radio range station, within 5 miles either side of the centerline of the south course of the Roanoke, Va., radio range, extending 20 miles south of

the Roanoke, Va., radio range station; and within 5 miles either side of the centerline of the north course of the Roanoke, Va., radio range, extending 10 miles north of Woodrum Field.

§ 601.10463 Airway traffic control area extension (Chicopee Falls, Mass.). From the Westover radio range station, Chicopee Falls, Mass., within 5 miles either side of the centerline of the northwest course of the Westover radio range, Chicopee Falls, Mass., extending to a point 25 miles northwest of the Westover radio range station.

§ 601.10464 Airway traffic control area extension (Pendleton, Oreg.). From the Pendleton, Oreg., radio range station, within 5 miles either side of the centerline of the northwest course of the Pendleton, Oreg., radio range, extending to a point 30 miles northwest of the Pendleton, Oreg., radio range station.

§ 601.10465 Airway traffic control area extension (Mitchell Field, N. Y.). From the Mitchell Field, N. Y., radio range, within 7 miles either side of the centerline of the east course of the Mitchell Field, N. Y., radio range, extending to Fire Island, N. Y.

§ 601.10466 Airway traffic control area extension (Dayton, Ohio). From the Dayton, Ohio, radio range station, within 5 miles either side of the west course of the Dayton, Ohio, radio range, extending to its intersection with the northeast course of the Indianapolis, Ind., radio range.

2. By deleting § 601.200101 Butte, Mont., airport approach zone.

3. By deleting from § 601,200102 Moline, Ill., airport approach zone.

4. By deleting from § 601.2000 the following:

Bolze, Idaho, Gowen Field. Burley, Idaho, Burley Airport. Couer D'Alene, Idaho, Couer D'Alene Air Terminal Airport.

Dubols, Idaho, CAA Int. Field. Malad City, Idaho, CAA Int. Field. Pocatello, Idaho, Pocatello Airport. Billings, Mont., Billings, Airpor Bozeman, Mont., Gallatin Field. Custer, Mont., CAA Int. Field. Cutbank, Mont., Cutbank Airport.
Dillon, Mont., CAA Int. Field.
Drummond, Mont., CAA Int. Field.
Great Falls, Mont., Gore Field. Helena, Mont., Helena Airport Lewistown, Mont., Lewistown Airport. Miles City, Mont., Miles City Airport.
Micoula, Mont., Micoula County Airport.
Superior, Mont., CAA Int. Field.
Whitehall, Mont., CAA Int. Field. Baker, Oreg., Baker Airport. Eugene, Oreg., Mahlon-Sweet Airport. Klamath Falls, Oreg., Klamath Falls NAB. Medford, Oreg., Medford Airport. Rediord, Oreg., Mediord Airport.
Fendleton, Oreg., Pendleton Field.
Portland, Oreg., Portland Municipal Airport.
Redmond, Oreg., Redmond AAF.
The Dalles, Oreg., The Dalles Airport.
Ellensburg, Wash., Ellensburg AAF. Ephrata, Wash., Ephrata AAB. Everett, Wash., Paine Field. Spokane, Wash., Felts Field. Tacoma, Wash., McChord Field. Toledo, Wash., CAA Int. Field. Walla Walla, Wash., Walla Walla AAF. Yakima, Wash., Yakima County Airport. Raleigh, N. C., Raleigh-Durham Airport.

5. By deleting from § 601.2002 the following:

Alma, Ga., CAA Int. Field. Augusta, Ga., Daniel Fleid. Banana River, Fla., Banana River, N. A. B. Biloxi, Miss., Keesler Field. Charleston, S. C., Charleston AAF. Charlotte, N. C., Charlotte Municipal 'Air-

Chattanooga, Tenn., Chattanooga Munici-

pal Airport (Lovell Field).
Columbia, S. C., Owens Field.
Crestview, Fla., CAA Int. Field.
Cross City, Fla., Cross City Airport.
Daytona Beach, Fla., Daytona Beach N. A. S,

Dothan, Ala., Dothan Municipal Airport. Florence, S. C., Florence Airport. Fort Myers, Fla., Fort Myers Municipal Air-

ort (Page Field).
Greensboro, N. C., Greensboro-High Point Airport (Lindley Field).
Greenville, S. C., Greenville Airport.
Greenwood, Miss., Greenwood Airport. Jacks Creek, Tenn., CAA Int. Field. Jackson, Miss., Jackson Airport. Key West, Fla., Key West NAS. Knoxville, Tenn., Knoxville McGhee-Tyson Airport. Macon, Ga., Macon Municipal Airport, Her-

bert Smart Field.

Meridian, Miss., Meridian Municipal Airport, Key Field.

Mobile Ala., Bates Field.

Montgomery, Ala., Gunter Field. Muscle Shoals, Ala., Muscle Shoals Munici-

pal Airport.
Nashville, Tenn., Nashville Municipal Airport (Berry Field).

Orlando, Fla., Orlando Municipal Airport. Spartanburg, S. C., Spartanburg Municipal

Airport (Memorial Field).
Tallahassee, Fla., Tallahassee Municipal
Airport (Dale Mabry Field).
Tampa, Fla., Drew Field).
Tampa, Fla., Drew Field.
Tril-City, Tenn., Tril-City, Airport.
West Palm Beach, Fla., Morrison Field.
Winston-Salem, N. C., Winston-Salem
Municipal Airport (Smith-Reynoids Field).
Alexandria, Minn., Alexandria, Airport Alexandria, Minn., Alexandria Airport. Battle Greek, Mich., Kellogg Field.
Bismarck, N, Dak., Bismarck Airport.
Bowling Green, Ky., Bowling Green Airport.
Dickinson, N. Dak., Dickinson Airport. Detroit, Mich., Detroit City Airport. Duluth, Minn., Williamson-Johnson Airport.

Effingham, Ill., CAA Int. Field. Evansville, Ind., Evansville Airport (old). Fargo, N. Dak., Fargo Airport (Hector Field)

Goshen, Ind., CAA Int. Field. Grand Forks, N. Dak., Grand Forks Airport. Grand Rapids, Mich., Kent County Airport. Harvey, Ill., Rubinkam Airport. Joiliet, Ill., CAA Int. Field.
La Crosse, Wis., CAA Int. Field.
Lansing, Mich., Capital City Airport.
Lone Rock, Wis., CAA Int. Field. Madison, Wis., Truax Airport. Milwaukee, Wis., General Mitchell Field. Muskegon, Mich., Muskegon County Airport.

Pembina, N. Dak., CAA Int. Field. Peoria, Ill., Peoria Municipal Airport. Rochester, Minn., Rochester Airport, Rockford, Ill., Machesney Airport, Romulus, Mich., Romulus Airport, South Bend, Ind., Bendix Field. Springfield, Ill., Springfield Airport. Terre Haute, Ind. Paul Cox Airport. Toledo, Ohio, Toledo Airport. Youngstown, Ohio, Youngstown Airport.

6. By deleting from § 601.2000 the following:

Flint, Mich., Bishop Airport. Fort Wayne, Ind., Baer Field.

7. By deleting § 601.200300 Atlanta, Ga., airport approach zone.

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8. By deleting § 601.200301 Birmingham, Ala., airport approach zone.

9. By deleting § 601.200305 Memphis, Tenn., airport approach zone.

10. By deleting § 601.200306 Savannah, Ga., airport approach zone.

11. By deleting § 601.200310 Jacksonville, Fla., airport approach zone. 12. By deleting § 601.200313 Melbourne,

Fla., airport approach zone. 13. By deleting § 601.200314 Miami,

Fla., airport approach zone. 14. By deleting § 601.200318 Cincinnati, Ohio, airport approach zone.

15. By deleting § 601.200322 Seattle, Wash., Boeing Field airport approach

zone. 16. By deleting § 601.200323 Chicago, Ill., airport approach zone.

17. By deleting § 601.200324 Cleveland, Ohio, airport approach zone.

18. By deleting § 601.200325 Columbus, Ohio, airport approach zone.

19. By deleting § 601.200326 Dayton, Ohio, airport approach zone.

20. By deleting § 601.200327 Indiana-polis, Ind., airport approach zone. 21. By deleting § 601.200328 Louisville, Ky., airport approach zone.

22. By deleting § 601.200329 Minneapolis, Minn., airport approach zone.

23. By deleting § 601.200302 Bellingham, Wash., airport approach zone,

24. By deleting from § 601.3000 the following:

Coeur d'Alene, Idaho, Coeur d'Alene Air Terminal.

Boise, Idaho, Gowen Field. Billings, Mont., Billings Airport. Great Falls, Mont., Gore Field. Medford, Oreg., Medford AAF.
Portland, Oreg., Portland AAF.
Seattle, Wash., Boeing Field.
Walla Walla, Wash., Walla Walla AAF. Atlanta, Ga., Atlanta, Airport. Augusta, Ga., Daniel Field. Birmingham, Ala., Birmingham AAF. Charleston, S. C., Charleston AAF. Charlotte, N. C., Charlotte Municipal Airport.

Chattanooga, Tenn., Chattanooga Airport (Lovell Field). Crestview, Fla., CAA Int. Field.

Daytona Beach, Fla., Daytona Beach NAS: Dothan, Ala., Dothan Airport. Florence, S. C., Florence AAF. Fort Myers, Fla., Page Field. Greensboro, N. C., Greensboro-High Point

(Lindley Field). Greenville, S. C., Greenville Airport.
Greenwood, Miss., Greenwood Airport.
Jackson, Miss., Jackson Airport.
Jacksonville, Fla., Jacksonville Airport No.

1, N. A. A. S. Key West, Fla., Meacham Field. Knoxville, Tenn., McGhee-Tyson Airport. Macon, Ga., Herbert Smart Airport. Melbourne, Fla., Melbourne NAS. Memphis, Tenn., Memphis Airport. Meridian, Miss., Key Field.

Miami, Fia., Miami AAF. Mobile, Ala., Bates Field. Muscle Shoals, Ala., Muscle Shoals Airport. Nashville, Tenn., Berry Field. Orlando, Fla., Orlando Municipal Airport, Orlando, Fla., Orlando Municipal Airport, Pensacola, Fla., Pensacola Airport. Raleigh, N. C., Raleigh-Durham Airport. Savannah, Ga., Hunter Field.

Spartanburg, S. C., Memorial Airport. Tallahassee, Fla., Dale Mabry Field.

Tri-City, Tenn., Tri-City Airport.

West Palm Beach, Fla., Morrison Field, Akron, Ohio, Akron Airport.

Battle Creek, Mich., Kellogg Field.

Bismarck, N. Dak., Blsmarck Airport.

Chicago, Ill., Chicago, Airport.

Chicago, Ill., Chicago Airport.

Cincinnati, Ohio, Lunken Airport. Cleveland, Ohio, Cleveland Airport. Colymbus, Ohio, Port Columbus, N. A. F. Dayton, Ohio, Dayton Airport.,
Detroit, Mich., Detroit City Airport.
Evansville, Ind., Evansville Airport (Oid).
Fargo, N. Dak., Fargo Airport (Hector Field).

Flint, Mich., Bishop Airport. Grand Rapids, Mich., Kent County Airport, Indianapolis, Ind., Indianapolis Municipal Airport.

Lansing, Mich., Capital City Airport. Louisville, Ky., Bowman Field. Milwaukee, Wis., General Mitchell Field. Minneapolis, Minn., Wold Chamberlain Field.

Peoria, Ill., Peoria Municipal Airport. Rochester, Minn., Rochester Airport. Romulus, Mich., Romulus AAF.

South Bend, Ind., Bendix Field.

Terre Haute, Ind., Hulman Airport.

Toledo, Ohio, Toledo Airport.

Youngstown, Ohio, Youngstown Airport. St. Paul, Minn., Holman Field.

25. By adding in § 601.3000 Airport traffic zones within three mile radius the following:

Dubois, Idaho, Dubois Intermediate Field. Bozeman, Mont., Gallatin-Bozeman Municipal Airport.

Custer, Mont., Custer Intermediate Field. Cut Bank, Mont., Cut Bank Municipal Airport.

Dillon, Mont., Dillon Intermediate Field. Drummond, Mont., Drummond Municipal Airport.

Lewistown, Mont., Lewistown Municipal Airport.

Miles City. Mont., Miles City Municipal Airport.

Missoula, Mont., Missoula County Airport. Whitehall, Mont., Whitehall Municipal Airport.

Baker, Oreg., Baker Municipal Airport, Eugene, Oreg., Mahlen-Sweet Airport, Klamath Falls, Oreg., Klamath Falls Municipal Airport.

Redmond, Oreg., Redmond-Roberts Field. Salem, Oreg., Salem-McNary.
The Dalles, Oreg., The Dalles Municipal Airport.

Ellensburg, Wash., Bowers Field. Ephrata, Wash., Ephrata Municipal Air-

Spokane, Wash., Spokane AAF. Toledo, Wash., Toledo Intermediate Airport.

26. By adding in § 601.3001 Airport traffic zones within a five mile radius the following:

Boise, Idaho, Boise Air Terminal, Billings, Mont., Billing Municipal Airport. Great Falls, Mont., Great Falls Municipal Airport.

Medford, Oreg., Medford AAF. Portland, Oreg., Portland AAF. Seattle, Wash., Boeing Field. Spokane, Wash., Gelger AAF. Tacoma, Wash., McChord Field. Walla Walla, Wash., Walla Walla AAF, St. Paul, Minn., Holman Airport.

27. By adding in § 601.3002 Airport traffic zones as described herein, the following:

§ 601.3002080 .Coeur D'Alene, Idaho, airport traffic zone. Within a three mile radius of the Coeur D'Alene Air Terminal, Coeur D'Alene, Idaho, and within two miles either side of the centerline of the north course of Coeur D'Alene radio range, extending to the Coeur D'Alene radio range station.

§ 601.3002081 Akron, Ohio, airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the southwest course of the Akron, Ohio, radio range, extending 10 miles southwest of the radio range station.

- § 601.3002082 Alexandria, Minn., airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the north course of the Alexandria, Minn., radio range, extending 10 miles north of the radio range station.
- § 601.3002083 -Battle Creek, Mich., arport traffic zone. Within a 5 mile radius of Kellogg Field and within 2 miles either side of the centerline of the south course of the Battle Creek, Mich., radio range, extending 10 miles south of the radio range station.
 - § 601.3002084 Bismarck, N. Dak., aurport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the east course of the Bismarck, N. Dak., radio range, extending 10 miles east of the radio range station.
 - § 601.3002085 Chicago, Ill., airport traffic zone. Within a 5 mile radius of the Municipal Airport, within 2 miles either side of the centerline of the southeast course of the Chicago, Ill., radio range, extending to the Thornton Intersection (intersection southeast course of Chicago radio range and east course of Harvey, Ill., radio range) and within 2 miles either side of the northwest course of the Chicago, Ill., radio range extending to the Franklin Park Fan Marker.
 - § 601.3002086 Cincinnati, Ohio, airport traffic zone. Within a 5 mile radius of the Lunken Airport and within 2 miles either side of the centerline of the northeast course of the Cincinnati, Ohio, radio range extending 10 miles northeast of the Loveland Fan Marker.
 - § 601.3002087 Cincinnati, Ohio, airport traffic zone. Within a 5-mile radius of the Greater Cincinnati Airport (Covington, Kentucky) and within 2 miles either side of the centerline of the Instrument Low Approach System (360° magnetic and toward the airport) extending 14.3 miles south of the south end of the runway.
 - § 601.3002088 Cleveland, Ohio, airport traffic zone. Within a 5-mile radius of the Municipal Airport and within 2 miles either side of the centerline of the west course of the Cleveland, Ohio, radio range, extending to the Elyria Fan Marker.
 - § 601.3002089 Columbus, Ohio, aurport traffic zone. Within a 5-mile radius of the Port Columbus Municipal Airport, within 2 miles either side of the centerline of the west course of the Columbus, Ohio, radio range, extending to the Hilliard Fan Marker and within 2 miles either side of the centerline of the east course of the Columbus radio range, extending to the Newark Fan Marker.
 - § 601.3002090 Dayton, Ohio, airport traffic zone. Within a 5-mile radius of the Municipal Airport and within 2 miles either side of the centerline of the west course of the Dayton, Ohio, radio range, extending to the Verona Fan Marker.

- § 601.3002091 Detroit, Mich., airport traffic zone. Within a 5-mile radius of the Detroit City Airport and within 2 miles either side of the centerlines of the northwest and southeast courses of the Windsor radio range, Windsor, Ontario, Canada, extending 10 miles southeast of the radio range station, excluding that portion which lies outside the continental limits of the United States.
- § 601.3002092 Dickinson, N. Dak., airport traffic zone. Within a 5-mile radius of the Municipal Airport and within 2 miles either side of the centerline of the north course of the Dickinson radio range, extending 10 miles north of the radio range station.
- § 601.3002093 Duluth, Minn., 'airport traffic zone. Within a 5-mile radius of the Williamson-Johnson Alrport and within 2 miles either side of the centerline of the south course of the Duluth, Minn., radio range, extending 10 miles south of the radio range station.
- § 601.3002094 Effingham, Ill., airport traffic zone. Within a 5-mile radius of the Effingham Airport and within 2 miles either side of the centerline of the east course of the Effingham, Ill., radio range, extending 10 miles east of the radio range station.
- § 601.3002095 Evansville, Ind., airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the north course of the Evansville, Ind., radio range, extending 10 miles north of the radio range station.
- § 601.3002096 Fargo, N. Dak., airport traffic zone. Within a 5 mile radius of Hector Field and within 2 miles either side of the centerline of the east course of the Fargo, N. Dak., radio range, extending 10 miles east of the radio range station.
- § 601.3002097 Flint, Mich., airport traffic zone. Within a 5 mile radius of the Bishop Airport, within 2 miles either side of a line 307° magnetic and toward the airport, extending 10 miles southeast of the airport and within 2 miles either side of a line 73° magnetic and toward the airport, extending 10 miles west of the airport.
- § 601.3002098 Fort Wayne, Ind., airport traffic zone. Within a 5 mile radius of Baer Field and within 2 miles either side of the centerline of the southwest course of the Fort Wayne, Ind., radio range, extending 10 miles southwest of the radio range station.
- § 601.3002099 Glenview, Ill., airport traffic zone. Within a 5 mile radius of the Glenview, Ill., Naval Air Station and within 2 miles either side of the centerline of the northwest course of the Glenview, Ill., radio range, extending 10 miles northwest of the radio range station.
- § 601.3002100 Goshen, Ind., airport traffic zone. Within a 5 mile radius of the Goshen Airport and within 2 miles either side of the centerline of the west course of the Goshen, Ind., radio range, extending 10 miles west of the radio range station.

- § 601.3002101 Grand Forks, N. Dak., airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the south course of the Grand Forks, N. Dak., radio range, extending 10 miles south of the radio range station.
- § 601.3002102 Grand Rapids, Mich., airport traffic zone. Within a 5 mile radius of the Kent County Airport and within 2 miles either side of the centerline of the southeast course of the Grand Rapids radio range, extending 10 miles southeast of the radio range station.
- § 601.3002103 Huntington, W Va., airport traffic zone. Within a 5 mile radius of the Mayes Airport, Chesapeake, Ohio, and within 2 miles either side of the centerline of the west course of the Huntington, W. Va., radio range, extending 10 miles west of the radio range station.
- § 601.3002104 Indianapolis, Ind., aurport traffic zone. Within a 5 mile radius of the Municipal Airport, within 2 miles either side of the centerline of the west course of the Indianapolis, Ind., radio range, extending to the Greencastle Fan Marker and within 2 miles either side of the centerline of the north course of the Indianapolis, Ind., radio range extending to the Advance Fan Marker.
- § 601.3002105 Jamestown, N. Dak., airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the east course of the Jamestown, N. Dak., radio range, extending 10 miles east of the radio range station.
- § 601.3002106 Joliet, Ill., airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the northwest course of the Joliet, Ill., radio range, extending 10 miles northwest of the radio range station.
- § 601.3002107 Lansing, Mich., airport traffic zone. Within a 5 mile radius of the Capitol City Airport and within 2 miles either side of the centerline of the east course of the Lansing, Mich., radio range, extending 10 miles east of the radio range station.
- § 601.3002108 Lafayette, Ind., airport traffic zone. Within a 5 mile radius of the Purdue University Airport and within 2 miles either side of the centerline of the southwest course of the Lafayette, Ind., radio range, extending 10 miles southwest of the radio range station.
- § 601.3002109 Lone Rock, Wis., aurport traffic zone. Within a 5 mile radius of the Lone Rock, Wis., Municipal Airport and within 2 miles either side of the centerline of the west course of the Lone Rock radio range, extending 10 miles west of the radio range station.
- § 601.3002110 Louisville, Ky., arrort traffic zone. Within a 5 mile radius of Bowman Field and within 2 miles either side of the centerline of the east course of the Louisville, Ky., radio range, extending to the Eastwood Fan Marker.
- § 601.3002111 Madison, Wis., airport traffic zone. Within a 5 mile radius of the Truax Airport and within 2 miles

either side of the centerline of the southeast course of the Madison, Wis., radio range, extending 10 miles southeast of the radio range station.

- § 601.3002112 Milwaukee, Wis., arrport traffic zone. Within a 5 mile radius of the General Mitchell Airport and within 2 miles either side of the centerline of the south course of the Milwaukee, Wis., radio range, extending to the Kenesha Fan Marker.
- § 601.3002113 Minneapolis, Minn., aurport traffic zone. Within a 5 mile radius of the Wold-Chamberlain Airport and within 2 miles either side of the centerline of the southeast course of the Minneapolis, Minn., radio range, extending to the Hastings Fan Marker.
- § 601.3002114 Minot, N. Dak., airport traffic zone. Within a 5 mile radius of the Port O'Minot Field and within 2 miles either side of the centerline of the southeast course of the Minot radio range, extending 10 miles southeast of the radio range station.
- § 601.3002115 Moline, Ill., airport traffic zone. Within a 5 mile radius of the Municipal Airport, within 2 miles either side of the centerline of the west course of the Moline Localizer, extending 10 miles west of the station and within 2 miles either side of the south course of the Moline radio range, extending from the radio range station to the intersection of the south course of the Moline radio range and the west course of the Moline Localizer.
- § 601.3002116 Muskegon, Mich., airport traffic zone. Within a 5 mile radius of the Muskegon County Airport and within 2 miles either side of the centerline of the southeast course of the Muskegon, Mich., radio range, extending 10 miles southeast of the radio range station.
- § 601.3002117 Pembina, N. Dak., airport traffic zone. Within a 5 mile radius of the Pembina Airport and within 2 miles either side of the centerline of the south course of the Pembina, N. Dak., radio range, extending 10 miles south of the radio range station, excluding that portion which lies outside the continental limits of the United States.
- § 601.3002118 Peoria, Ill., airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the north course of the Peoria, Ill., radio range, extending 10 miles north of the radio range station.
- § 601.3002119 Rochester, Minn., aurport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the south course of the Rochester, Minn., radio range, extending 10 miles south of the radio range station.
- § 601.3002120 Rockford, Ill., airport traffic zone. Within a 3 mile radius of the Machesney Airport and within 2 miles either side of the centerline of the southwest course of the Rockford, Ill., radio range, extending 10 miles southwest of the radio range station.

- § 601.3002121 Romulus, Mich., airport traffic zone. Within a 5 mile radius of the Romulus Army Air Field and within 2 miles either side of the centerline of the west course of the Romulus, Mich., radio range, extending to the Saline Fan. Marker.
- § 601.3002122 South Bend, Ind., curport traffic zone. Within a 5 mile radius of the Bendix Airport within 2 miles either side of the centerline of the west course of South Bend, Ind., radio range, extending 10 miles west of the radio range station and within 2 miles either side of the centerline of the east course of South Bend radio range, extending to the Union Intersection (intersection of north course of Goshen radio range, Goshen, Ind., and east course of South Bend, Ind., radio range)
- § 601.3002123 Springfield, Ill., airport traffic zone. Within a 5 mile radius of the Springfield Airport and within 2 miles either side of the centerline of the northwest course of the Springfield, Ill., radio range, extending 10 miles northwest of the radio range station.
- § 601.3002124 Terre Haute, Ind., airport traffic zone. Within a 5 mile radius of Hulman Field and within 2 miles either side of the centerline of the west course of Terre Haute, Ind., radio range, extending 10 miles west of the radio range station.
- § 601.3002125 Toledo, Ohio, airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the south course of the Toledo, Ohio, radio range, extending to the Bowling Green Fan Marker.
- § 601.3002126 Youngstown, Ohio, airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the north course of the Youngstown, Ohio, radio range, extending 10 miles north of the radio range station.
- § 601.3002127 Ypsilanti, Mich., aurport traffic zone. Within a 5 mile radius of Willow Run Airport within, 2 miles either side of a line 275° magnetic and toward the station, extending 5 miles beyond the circular area and within 2 miles either side of a line 65° magnetic and toward the station, extending 5 miles beyond the circular area.
- § 601.3002128 Bowling Green, Ky., aurport traffic zone. Within a 5 mile radius of Bowling Green, Ky., Aurport and within 2 miles either side of the centerline of the southeast course of Bowling Green radio range, extending 10 miles southeast of the radio range station.
- § 601.3002129 Atlanta, Ga., airport traffic zone. Within a 5 mile radius of the Municipal Airport, within 2 miles either side of the centerline of the southeast course of the Atlanta, Ga., radio range, extending to the Jonesboro Fan Marker and within 2 miles either side of the centerline of the northwest course of the Atlanta radio range, extending 10

- miles northwest of the radio range station.
- § 601.3002130 Augusta, Ga., airport traffic zone. Within a 5 mile radius of Daniel Field and within 2 miles either side of the centerline of the southwest course of the Augusta, Ga., radio range, extending 10 miles southwest of the radio range station.
- § 601.3002131 Biloxi, Miss., airport traffic zone. Within a 5 mile radius of Keesler Field and within 2 miles either side of the centerline of the northeast course of Keesler Field radio range, extending 5 miles northeast of the radio range station.
- § 601.3002132 Birmingham, Ala., airport traffic zone. Within a 5 mile radius of Birmingham Airport and within 2 miles either side of the centerline of the north course of the Birmingham, Ala., radio range, extending 10 miles north of the Birmingham, Ala., radio range station.
- § 601.3002133 Charleston, S. C., airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the northwest course of the Charleston, S. C., radio range, extending to the Summerville Fan Marker.
- § 601.3002134 Charlotte, N. C., atrport trafic zone. Within a 5 mile radius of Douglas Airport and within 2 miles either side of the centerline of the south course of Charlotte, N. C. radio range, extending 5 miles south of the radio range station.
- § 601.3002135 Chattanooga, Tenn., airport traffic zone. Within a 5 mile radius of Lovell Field and within 2 miles either side of the centerline of the northeast course of the Chattanooga, Tenn., radio range, extending 10 miles northeast of the radio range station.
- § 601.3002136 Columbia, S. C., airport traffic zone. Within a 5 mile radius of Lexington County Airport and within 2 miles either side of the centerline of the east and west courses of the Columbia, S. C. radio range, extending 5 miles east of the radio range station.
- § 601.3002137 Crestview, Fla., atrport traffic zone. Within a 5 mile radius of Crestview Airport and within 2 miles either side of the centerline of the east course of Crestview, Fla. radio range, extending 10 miles east of the radio range station.
- § 601.3002138 Cross City, Fla., airport traffic zone. Within a 5 mile radius of Cross City Airport and within 2 miles either side of the centerline of the southeast course of Cross City, Fla. radio range, extending 10 miles southeast of the radio range station.
- § 601.3002139 Daytona Beach, Fla., arrport traffic zone. Within a 5 mile radius of Daytona Beach Airport and within 2 miles either side of the center-line of the west course of Daytona Beach,

Fla. radio range, extending 10 miles west of the radio range station.

- § 601.3002140 Dothan, Ala., airport traffic zone. Within a 5 mile radius of Dothan Airport and within 2 miles either side of the centerline of the southwest course of Dothan, Ala. radio range, extending 10 miles southwest of the radio range station.
- § 601.3002141 Florence, S. C., airport traffic zone. Within a 5 mile radius of Florence Airport and within 2 miles either side of the centerline of the east course of Florence, S. C. radio range, extending 10 miles southeast of the radio range station.
- § 601.3002142 Fort Myers, Fla., airport traffic zone. Within a 5 mile radius of Page Field and within 2 miles either side of the centerline of the southwest course of Fort Myers, Fla., radio range, extending 10 miles southwest of the radio range station.
- § 601.3002143 Greensboro, N. C., airport traffic zone. Within a 5 mile radius of the Greensboro-High Point Airport and within 2 miles either side of the centerline of the northeast course of the Greensboro, N. C., radio range, extending 10 miles northeast of the radio range station.
- § 601.3002144 Greenville, S. C., aurport traffic zone. Within a 5 mile radius of the Greenville Airport and within 2 miles either side of the centerline of the south course of Greenville, S. C. radio range, extending 10 miles south of the radio range station.
- § 601.3002145 Greenwood, Miss., aurport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the east course of Greenwood, Miss., radio range, extending 10 miles east of the radio range station.
- § 601.3002146 Jacks Creek, Tenn., aurport traffic zone. Within a 5 mile radius of Jacks Creek Intermediate Field and within 2 miles either side of the centerline of the north course of Jacks Creek, Tenn, radio range, extending 10 miles north of the radio range station.
- § 601.3002147 Jackson, Miss., airport traffic zone. Within a 5 mile radius of Jackson Airport and within 2 miles either side of the centerline of the north course of Jackson, Miss., radio range, extending to the Flora Fan Marker.
- § 601.3002148 Jacksonville, Fla., aurport traffic zone. Within a 5 mile radius of Municipal Airport No. 1 and within 2 miles either side of the centerline of the east course of Jacksonville, Fla., radio range, extending to the Fort George Island Fan Marker.
- § 601.3002149 Key West, Fla., airport traffic zone. Within a 5 mile radius of Meacham Airport and within 2 miles either side of the centerline of the west course of Key West, Fla., radio range, extending 10 miles west of the radio range station.
- § 601.3002150 Knoxville, Tenn., airport traffic zone. Within a 5 mile radius of the McGhee-Tyson Airport and within 2 miles either side of the centerline of

- the north course of Knoxyille, Tenn., radio range, extending 10 miles north of the radio range station.
- § 601.3002151 Macon, Ga., airport traffic zone. Within a 5 mile radius of Herbert Smart Airport and within 2 miles either side of the centerline of the northeast and southwest courses of the Macon, Ga., radio range, extending 10 miles northeast of the radio range station.
- § 601.3002152 Melbourne, Fla., airport traffic zone. Within a 5 mile radius of Melbourne Airport and within 2 miles either side of the centerline of the north course of Melbourne, Fla., radio range, extending 10 miles north of the radio range station.
- § 601.3002153 Memphis, Tenn., airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the south course of Memphis, Tenn., radio range, extending to the Nesbitt Fan Marker.
- § 601.3002154 Meridian, Miss., airport traffic zone. Within a 5 mile radius of Key Field and within 2 miles either side of the centerline of the northwest course of Meridian, Miss., radio range, extending 10 miles northwest of the radio range station.
- § 601.3002155 Miami, Fla., airport traffic zone. Within a 5 mile radius of Miami International Airport and within 2 miles either side of the centerline of the east course of Miami, Fla., radio range, extending to the Miami Bay Shore Fan Marker.
- § 601.3002156 Mobile, Ala., airport traffic zone. Within a 5 mile radius of Bates Field, within 2 miles either side of a direct line between Bates Field and Mobile radio range station and within 2 miles either side of the centerline of the northeast course of Mobile, Ala., radio range, extending 10 miles northeast of the radio range station.
- § 601.3002157 Mobile, Ala., airport traffic zone. Within a 5 mile radius of Brookley Field and within 2 miles either side of the centerline of the northwest course of Mobile, Ala., radio range, extending 10 miles northwest of the radio range station.
- § 601.3002158 Montgomery, Ala., airport traffic zone. Within a 5 mile radius of Maxwell Field and within two miles either side of the centerline of the west course of Maxwell radio range, extending 10 miles west of the radio range station.
- § 601.3002159 Muscle Shoals, Ala., airport traffic zone. Within a 5 mile radius of Muscle Shoals Airport and within 2 miles either side of the centerline of the southeast course of Muscle Shoals radio range, extending 10 miles southeast of the radio range station.
- § 601.3002160 Nashville, Tenn., airport traffic zone. Within a 5 mile radius of Berry Field and within 2 miles either side of the centerline of the east course of Nashville, Tenn., radio range, extending to the Mount Juliet Fan Marker.
- § 601.3002161 Orlando, Fla., airport traffic zone. Within a 5 mile radius of

- the Municipal Airport and within 2 miles either side of the centerline of the northeast course of Orlando, Fla., radio range, extending 10 miles northeast of the radio range station.
- § 601.3002162 Pensacola, Fla., arrort traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerline of the south course of Pensacola, Fla., radio range, extending 10 miles south of the radio range station.
- § 60I.3002163 Raleigh, N. C., export traffic zone. Within a 5 mile radius of Raleigh-Durham Airport and within 2 miles either side of the centerline of the southeast course of Raleigh, N. C., radio range, extending 10 miles southeast of the radio range station.
- § 601.3002164 Sarannah, Ga., aurport traffic zone. Within a 5 mile radius of Hunter Field and within 2 miles either side of the centerline of the southwest course of Savannah, Ga., radio range, extending to Richmond Hill Fan Marker.
- § 601.3002165 Spartanburg, S. C., aurport traffic zone. Within a 5 mile radius of Memorial Airport and within 2 miles either side of the centerline of the southwest course of Spartanburg, S. C., radio range, extending 10 miles southwest of the radio range station.
- § 601.3002166 Tallahassee, Fla., aurport traffic zone. Within a 5 mile radiusof Dale Mabry Field and within 2 miles either side of the centerline of the northwest course of Tallahassee, Fla., radio range, extending 10 miles northwest of the radio range station.
- § 601.3002167 Tampa, Fla., arport trafile zone. Within a 5 mile radius of Drew Field, within 2 miles either side of a direct line between Drew Field and Tampa, Fla., radio range station, and within 2 miles either side of the centerline of the south course of Tampa radio range, extending 10 miles south of the radio range station.
- § 601.3002163 Tr City, Tenn., airport traffic zone. Within a 5 mile radius of the Tri City Airport and within 2 miles either side of the centerline of the northeast course of Tri City, Tenn., radio range, extending 10 miles northeast of the radio range station.
- § 601.3002169 West Palm Beach, Fla., airport trafic zone. Within a 5 mile radius of Morrison Field and within 2 miles either side of the centerline of the west course of West Palm Beach, Fla., radio range, extending 10 miles west of the radio range station.
- § 601.3002170 Winston-Salem, N: C. airport traffic zone. Within a 5 mile radius of Smith-Reynolds Airport and within 2 miles_either side of the center-line of the southeast and northwest courses of Winston-Salem radio range, extending 10 miles southeast of the radio range station.
- § 601.3002171 Alma, Ga. arrort traffic zone. Within a 5 mile radius of Alma Intermediate Field and within 2 miles either side of the centerline of the northwest course of the Alma, Ga., radio range, extending 10 miles northwest of the radio range station.

This amendment shall become effective 0001 e. s. t. May 13, 1947.

(Sec. 308, 52 Stat. 986, 54 Stat. 1233, 1235, 1236; 49 U. S. C. 458)

[SEAL] T. P. WRIGHT,

Administrator of Civil Aeronautics.

[F. R. Doc. 47-4500; Filed, May 13, 1947; 8:45 a. m.]

[Amdt. 156]

PART 601—DESIGNATION OF AIRWAY TRAF-FIC CONTROL AREAS, AIRPORT APPROACH ZONES, AIRPORT TRAFFIC ZONES AND RADIO FIXES

CANCELLATION OF AIRPORT APPROACH ZONES
AND ESTABLISHMENT OF AIRPORT TRAFFIC
ZONES

It appearing that: (1) The increased volume of air traffic at certain points necessitates, in the interest of safety in air commerce, the immediate cancellation of airport approach zones and the establishment of airport traffic zones at such points; and (2) the cancellation of airport approach zones and the establishment of airport traffic zones referred to in (1) above have been coordinated with the civil operators involved, the Army and the Navy through the Air Coordinating Committee, Airspace Subcommittee:

And finding that: The general notice of proposed rule making and public procedure provided for in section 4 (a) of the Administrative Procedure Act is impracticable and unnecessary now, therefore, acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By deleting from § 601.2000 the following:

Bakersfield. Calif., Bakersfield-Kern County Airport. Battle Mountain, Nev., CAA Int. Field. Blythe, Calif., Blythe AAF. Burbank, Calif., Lockheed Air Terminal. Cochise, Ariz., CAA Int. Field.
Daggett, Calif., Daggett Municipal Airport. Delta, Utah, Delta Airport. Elko, Nev., Elko Airport (Keddie Field). Enterprise, Utah, CAA Int. Field. Fairfield, Utah, CAA Int. Field. Fresno, Calif., Fresno-Chandler Airport. Gila Bend, Ariz., Gila Bend AAF. Las Vegas, Nev., Las Vegas AAF. Lucin, Utah, CAA Int. Field.
Milford, Utah, CAA Int. Field.
Needles, Calif., Needles Airport.
Newhall, Calif., Newhall Airport. Ogden, Utah, Robert H. Hinckley Field. Palmdale, Calif., Palmdale AAF. Phoenix, Ariz., Sky Harbor Airport. Prescott, Ariz., Ernest Love Airport. Red Bluff, Calif., Bidwell, Field. Reno, Nev., Hubbard Field. Riverside, Calif., March Field. Sacramento, Calif., Sacramento Airport. Salt Lake City, Utah, Salt Lake City Airport No. 1.

Silver Lake, Calif., CAA Int. Field. Tucson, Ariz., Davis Monthan Field. Williams, Calif., CAA Int. Field. Winslow, Ariz., Winslow Airport.

2. By deleting from § 601.2002 the following:

El Centro, Calif., El Centro MCAS. Humboldt, Nev., CAA Int. Field. Santa Barbara, Calif., Santa Barbara. Municipal Airport.

Sunnyvale, Calif., Moffett Field.

3. By deleting § 601.200311 Long Beach, Calif., airport approach zone.
4. By deleting § 601.200312 Los Angeles, Calif., airport approach zone.

5. By deleting § 601.200317 Oakland, Calif., airport approach zone.

6. By deleting § 601.200320 San Diego, Calif., airport approach zone.

7. By deleting § 601.200321 San Francisco, Calif., airport approach zone.

8. By deleting from § 601.3000 the following:

Fresno, Calif., Fresno-Chandler Airport. Ogden, Utah, Robert H. Hinckley Field. Reno, Nev., Hubbard Field. Santa Barbara, Calif., Santa Barbara, MCAS. Tucson, Ariz., Tucson Airport. Winslow, Ariz., Winslow Airport. Bakersfield, Calif., Bakersfield-Kern Air-

port.

Burbank (Los Angeles), Calif., Lockheed

Air Terminal.
Las Vegas, Nev., Las Vegas AAF

Long Beach, Calif., Long Beach AAF (Daugherty Field).
Los Angeles, Calif., Los Angeles Airport

(Mines Field).

Oakland, Calif., Oakland Airport.

Palmdale, Calif., Palmdale AAF.

Phoenix, Ariz., Sky Harbor Airport.

Sacramento, Calif., Sacramento Airport.

San Diego, Calif., Lindbergh Field.

San Francisco, Calif., San Francisco Airport. Salt Lake City, Utah, Salt Lake City Airport No. 1.

9. By adding in § 601.3000 Airport traffic zones within three mile radius, the following:

Lucin, Utah, Intermediate Field. Needles, Calif., Needles Airport. Williams, Calif., Intermediate Field.

10. By adding in § 601.3001 Airport traffic zones within a five mile radius, the following:

Fresno, Calif., Hammer Field:
Ogden, Utah, Hill Field.
Red Bluff, Calif., Red Bluff Municipal
(Bidwell Field).
Reno, Nev., Hubbard Field.
Riverside, Calif., March Field.
Santa Barbara, Calif., Santa Barbara
Municipal (Goleta Field).

Sunnyvale, Calif., Moffett Field. Tucson, Ariz., Davis-Monthan Field. Tucson, Ariz., Municipal Airport No. 2 (Consolidated).

Winslow, Ariz., Winslow Airport.

11. By adding in § 601.3002 Airport traffic zones as described herein, the following:

§ 601.3002172 Bakersfield, Calif., airport traffic zone. Within a 5 mile radius of the Bakersfield-Kern County Airport and within 2 miles either side of the centerline of the northwest course of Bakersfield, Calif., radio range, extending 11 miles northwest of the radio range station.

§ 601.3002173 Burbank, Calif., airport traffic zone. Within a 5 mile radius of Lockheed Air Terminal within 2 miles either side of the centerline of the southeast course of Burbank, Calif., radio range, extending to and Including the area within a 2 mile radius of Glendale Station Location Marker, within 2 miles

either side of the centerline of the northwest course of Burbank radio range, extending to the Simi Intersection (intersection of northwest course of Burbank radio range and southwest course of Newhall radio range, Newhall, Calif.), within 2 miles either side of the centerline of the southwest course of Newhall radio range, extending to and including the area within a 2 mile radius of Newhall radio range station and within 2 miles either side of the centerline of the southeast course of Newhall radio range, extending to the intersection of northwest course of Burbank radio range and northwest course of Los Angeles radio range, Los Angeles, Calif.

§ 601.3002174 El Centro, Calif., airport traffic zone. Within a 5 mile radius of the El Centro, Calif., Naval Air Station and within a 2 mile radius of El Centro radio range station.

§ 601.3002175 Fresno, Calif., airport traffic zone. Within a 5 mile radius of Chandler Airport and within 2 miles either side of the centerline of the southeast course of Fresno, Calif., radio range, extending 15 miles southeast of the radio range station.

§ 601.3002176 Las Vegas, Nev., airport traffic zone. Within a 5 mile radius of McCarran Field and within 2 miles either side of the centerline of the northeast course of the Las Vegas, Nev., radio range, extending to Mormon Nesa Fan Marker.

§ 601.3002177 Long Beach, Calif., airport traffic zone. Within a 5 mile radius of the Municipal Airport (Daugherty Field), within 2 miles either side of the centerline of the southeast course of Long Beach radio range, extending to Huntington Beach Fan Marker, within 2 miles either side of the centerline of the northeast course of Long Beach radio range, extending to La Habra Interseqtion (intersection east course of Los Angeles radio range and northeast course of Long Beach radio range), within 2 miles either side of the centerline of the southwest course of Long Beach radio range extending to San Pedro Intersection (intersection southwest course of Long Beach radio range and southeast course of Los Angeles radio range) within 2 miles either side of the centerline of the southeast course of Los Angeles radio range from San Pedro intersection, extending to the Los Angeles Airport Traffic Zone and within 2 miles either side of the centerline of the northwest course of Long Beach radio range, extending to Los Angeles Airport Traffic

§ 601.3002178 Los Angeles, Calif., airport traffic zone. Within a 5 mile radius of the Municipal Airport (Mines Field), within 2 miles either side of the centerline of the east course of the Los Angeles radio range, extending to La Habra Intersection and within 2 miles either side of the centerline of the northwest-course of Los Angeles radio range, extending to the Burbank Airport Traffic Zone.

§ 601.3002179 Oakland, Calif. airport traffic zone. Within a 5 mile radius of the Municipal Airport within 2 miles either side of the centerline of the south-

east course of the Oakland, Calif., radio range, extending to Newark Fan Marker, within 2 miles either side of the centerline of the northwest course of Oakland radio range, extending to Richmond Intersection (intersection northwest course of Oakland radio range, and southwest course of Fairfield radio range, Fairfield, Calif.) within 2 miles either sideof the centerline of the northeast course of Oakland radio range, extending to Bay Point Fan Marker and within 2 miles either side of the centerline of the southwest course of Oakland radio range, extending 6.25 miles southwest of the radio range station.

§ 601.3002180 Ogden, Utah, airport traffic zone. Within 5 mile radius of the Municipal Airport (Hinckley Field), within 2 miles either-side of the centerline of the north course of Ogden radio range, extending to Comme Fan Marker, within 2 miles either side of the centerline of the east course of Ogden radio range, extending to Huntsville Fan Marker, within 2 miles either side of the centerline of the south course of Ogden radio range, extending to Layton Fan Marker and within 2 miles either side of the centerline of the west course of Ogden radio range, extending 19 miles west of the radio range, extending 19 miles west of the radio range station.

§ 601.3002181 Palmdale, Calif., airport traffic zone. Within a 3 mile radius of the Palmdale Airport and within 2 miles either side of the centerline of the northeast course of Palmdale, Calif., radio range, extending 10 miles northeast of the radio range station.

§ 601.3002182 Phoenix, Ariz., airport traffic zone. Within a 5 mile radius of the Municipal Airport (Sky Harbor) and within 2 miles either side of the centerine of the east course of Phoenix, Ariz., radio range, extending to Mesa Fan Marker.

§ 601.3002183 Prescott, Ariz., airport traffic zone. Within a 5 mile radius of the Municipal airport (Earnest Love Field) and within 2 miles either side of the centerline of the northwest course of Prescott, Ariz., radio range to and including the area within a 2 mile radius of Prescott radio range station.

§ 601.3002184 Sacramento, Calif., airport traffic zone. Within a 5 mile radius of the Municipal Airport and within 2 miles either side of the centerlines of all courses of Sacramento radio range, extending 10 miles in each direction from the radio range station.

§ 601.3002185 San Diego, Calif., aurport traffic zone. Within a 5 mile radius of the Municipal Airport (Lindbergh Field) within 2 miles either side of the centerline of the north course of San Diego, Calif., radio range, extending to Oceanside Fan Marker, within 2 miles either side of the centerline of the south course of San Diego, Calif., radio range, extending to Ceronade Fan Marker and within 2 miles either side of the centerline of the west course of San Diego radio range, extending 10 miles west of the radio range station.

§ 601.3002186 San Francisco, Calif., airport traffic zone. Within a 5 mile radius of the Municipal Airport (Mills

Field) within 2 miles either side of the centerline of the southeast course of San Francisco, Calif., radio range, extending to Belmont Fan Marker, within 2 miles either side of the centerline of the northeast course of San Francisco radio range, extending 6.25 miles northeast of the radio range station and within 2 miles either side of the centerline of the northwest, course of the San Francisco radio range, extending to Golden Gate Intersection (intersection northwest course of San Francisco radio range and southwest course of Fairfield radio range).

§ 601.3002187 Salt Lake City, Utah, aurport traffic zone. Within a 5 mile radius of Municipal Airport No. 1, within 2 miles either side of the centerline of the north course of Salt Lake City, Utah, radio range, extending to Layton Fan Marker and within 2 miles either side of the centerline of the west course of the Salt Lake City radio range, extending 10 miles west of the radio range station.

This amendment shall become effective 0001 e. s. t. May 13, 1947.

(Sec. 308, 52 Stat. 986, 54 Stat. 1233, 1235, 1236; 49 U. S. C. 458)

[SEAL] T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 47–4501; Flied, May 13, 1947; 8:45 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VI—Federal Public Housing
Authority

PART 605—GENERAL PROCEDURAL PROVISIONS

PART 611—LOW-REIT HOUSING AND SLUM
CLEARANCE PROGRAM POLICY

MISCELLANEOUS AMERIDMENTS

1. Part 605 (11 F. R. 177A-909) is hereby amended, effective upon publication in the Federal Register, by adding § 605.3 thereto as follows:

§ 605.3 Claims cognizable under the Federal Tort Claims Act. (a) Claims of \$1,000 or less, arising out of the negligent or wrongful acts or omissions of FPHA employees acting within the scope of their employment, and which are otherwise cognizable under the Federal Tort Claims Act (Public Law 601, 79th Congress) may be filed with the housing manager or project engineer of the project on which the damage, injury, or death occurs, or with the par-ticular regional office in whose region the damage, injury, or death occurs, or directly with the FPHA central office. Such claims must be filed within one year of the date of occurrence of the injury, damage, or death, or date of enactment of the Federal Tort Claims Act, whichever is later. Each regional office and the central office has a committee of three persons responsible for investigating and recommending disposition of claims of this type.

(1) Such claim may be filed by the person sustaining the injury or damage in his own right; or by a person authorized by law to make the claim on behalf of the injured person or his estate;

or by an attorney representing the claimant.

Claims filed by a person authorized by law to make the claim on behalf of the injured person or his estate must be accompanied by evidence establishing the claimant's right to make the claim.

Claims filed by an attorney must be accompanied by a duly authenticated power of attorney establishing his right to represent the claimant. In filing such power of attorney the attorney should state whether he claims a fee, the amount of which, however, will be determined by the FPHA under the provisions of section 422 of the Federal Tort Claims Act.

(2) The claim must state the name, age and address of the injured person; all facts relating to the alleged damage, injury or death, including the date, place, circumstances, extent of damage or injury, and the parties involved; the sworn statements of witnesses which the claimant desires to be considered in the adjudication of the claim; the amount of the claim (not exceeding \$1,000) and whether the damage is covered in whole or in part by insurance, and if so, the name of the insurance company.

In addition to the foregoing, the claim must be supported by the following evidence and information:

(i) Property damage claims. Property damage claims must be supported by an itemized receipted bill or bills covering the repairs or replacement of the property damaged or destroyed or a notarized appraisal of the cost, strictly limited to such items of repair or replacement as were made necessary by the accident giving rise to the claim; and, if the claimant is not the owner of the property, evidence establishing the claimant's right to make the claim. The claimant must also state the place where the damaged property may be inspected.

(ii) Personal injury claims. Personal injury claims must be supported by a medical certificate showing the nature and extent of the injury and the treatment thereof; receipted medical bills such as doctor's bills, hospital bills, nursing bills; and a sworn statement from the claimant's employer establishing the amount of time and compensation lost by reason of the injury.

(iii) Death claims. Death claims must be supported by a certified copy of the death certificate, and a statement of the basis upon which the amount of the claim was computed, accompanied by supporting evidence.

(3) The claimant will be notified of the action taken in each case. If the FPHA determines that he is entitled to an award he will be required to complete U. S. Standard Form No. 1145, a copy of which will be furnished him. (Secs. 401-424, Public Law 601, 79th Congress, 60 Stat. 842)

2. Part 611 is hereby amended, effective upon publication in the FEDERAL REGISTER, by rescinding and deleting § 611.7 (14 F. R. 177A-911) therefrom.

Approved: May 5, 1947.

[SEAL] D. S. MYER, Commissioner.

[F. R. Doc, 47-4507; Filed, May 13, 1948; 8:46 a.m.]

TITLE 32-NATIONAL DEFENSE

Chapter VII—Sugar Rationing Administration, Department of Agriculture

PART 705—Administration [Gen. Order 3]

DELEGATION OF RICE FLICE CONTROL FUNC-TIONS TO THE SUGAR RATIONING ADMINIS-TRATION

Pursuant to the authority conferred upon the Secretary of Agriculture by Executive Order No. 9841, it is ordered:

§ 705.103 Delegation of rice price control functions to the Sugar Rationing Administration. (a) The Secretary of Agriculture designates Leroy K. Smith Adviser to the Secretary for Rice Price Control.

(b) The Secretary of Agriculture delegates to Leroy K. Smith and, subject to the direction and control of the Secretary and Leroy K. Smith, to the Sugar Rationing Administration, authority and responsibility to discharge all of the functions, powers, and duties conferred upon the Secretary by Executive Order No. 9841, Provided however, That the authority to issue rice price regulations and amendments thereto, and the authority to maintain in his own name civil proceedings relating to matters within the scope of Executive Order No. 9841 are expressly reserved to the Secretary of Agriculture, except as heretofore, or as may hereafter be, provided by order of the Secretary of Agriculture.

(c) Notwithstanding the provisions of General Order No. 1¹ and Memorandum No. 1190, both issued by the Secretary of Agriculture, the Administrator of the Sugar Rationing Administration shall, with respect to matters concerning rice price control, report to the Secretary of Agriculture through, and shall be under the general supervision of, Leroy K. Smith.

(d) As provided in section 404 of Executive Order No. 9841, all prior and currently effective orders, rules, regulations, directives, and other similar instruments relating to functions with respect to price control over rice transferred to the Secretary of Agriculture by the provisions of such order or issued by any agency terminated under such order or by any predecessor or constituent agency thereof, shall remain in effect except as they are inconsistent with the provisions of such order or are hereafter amended or revoked by the Secretary of Agriculture or other proper authority.

(e) Until changed, revoked, or modified by order of the Secretary of Agriculture, or the Administrator of the Sugar Rationing Administration, and except to the extent that they may be inconsistent with this General Order No. 3, all delegations and sub-delegations of authority and designation of functions as they are now described in the Office of Price Administration manual covering the organization of those portions of the Office of Price Administration whose functions are transferred to the Secretary of Agriculture under Executive Order No. 9841 are hereby ratified, con-

112 F. R. 2807.

firmed, and validated and shall remain in full force and effect.

This General Order No. 3 shall become effective May 9, 1947.

(E. O. 9841, 12 F. R. 2645)

Issued this 9th day of May 1947.

CLINTON P. ANDERSON, Secretary of Agriculure.

[F. R. Doc. 47-4602; Filed, May 13, 1947; 10:33 a.m.]

PART 705-ADMINISTRATION

[Rev. Gen. RO 5,1 Amdt. 22]

SUGAR RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Revised General Ration Order 5 is amended in the following respect:

Section 9.3 (b) is amended to read as follows:

(b). All coupons to be issued to institutional users shall be issued in multiples of five. If the amount to be issued is not a multiple of five, such amount shall be raised to the next multiple of five. (Thus, if the allotment for an institutional user who is to receive coupons is for 56 pounds, coupons for 60 pounds shall be issued.)

This amendment shall become effective May 14, 1947.

Issued this 9th day of May 1947.

CLINTON P. ANDERSON, Secretary of Agriculture.

Rationale Accompanying Amendment No. 22 to Revised General Ration Order 5

Present regulations. At the present time one pound and ten pound sugar ration coupons are issued under the sugar rationing regulations. When the allotment for an institutional user who is authorized to receive ration coupons (other than for an institutional user who applies for his allotment on R-1309) is for an amount which is not a multiple of ten, the Regional Issuance Unit must detach the correct number of one-pound ration coupons from a coupon sheet in order to complete the issuance for the correct amount of the allotment.

Proposed amendment. This amendment provides that coupons to be issued to institutional users shall be multiples of five. If the amount to be issued is not a multiple of five, such amount shall be raised to the next multiple of five.

Reason for amendment. The mechanical operation involved in the issuance of coupons will be simplified and the time necessary for such operation will be reduced by permitting Regional Issuance Units to detach five one-pound ration coupons at a time instead of an odd number of one-pound coupons when coupon issuances are made to institutional users.

[F. R. Doc. 47-4601; Filed, May 13, 1947; 10:32 a.m.]

PART 707-RATIONING OF SUGAR

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Third Revised Ration Order 3 is amended in the following respects:

Section 11.5 is added to read as fol-

SEC. 11.5 Removal of limitations on imported sugar-containing products on and after May 7, 1947 (a) On and after May 7, 1947, the foregoing provisions of this article shall not apply to imported sugar-containing products; Provided, however That the provisions regarding receipt, delivery, or use of imported sugar-containing products shall remain in full force and effect with respect to any such acts occurring prior to May 7, 1947.

This amendment shall become effective May 7, 1947.

Issued this 9th day of May 1947.

CLINTON P ANDERSON, Secretary of Agriculture.

Rationale Accompanying Amendment No. 45 to Third Revised Ration Order 3

The limitations contained in the present regulations with respect to imported sugar-containing products were established to prevent an unreasonable diversion of sugar into sugar-containing products as a means of evading the rationing of crystalline and liquid sugar in the United States.

The current increase in rationing levels, reflecting the improved sugar supply situation, coupled with the improved availability of nonrationed sugar substitutes, has reduced this danger of an unreasonable diversion of sugar into sugar-containing products. In addition, the licensing of imports by the Production and Marketing Administration of the Department of Agriculture has also materially limited the diversion of sugar by such means.

In view of these improved conditions, and in accordance with the policy of removing rationing controls as quickly as warranted, this amendment removes the rationing limitations on imported sugarcontaining products received, delivered, or used after May 7, 1947. The amendment also continues in effect the provisions in the present regulations with respect to receipt, delivery, or use of imported sugar-containing products occurring prior to May 7, 1947. Thus, persons who failed to comply with the regulations on imported sugar-containing products delivered, received, or used prior to May 7, 1947, are not relieved of their obligation to do so.

[F. R. Doc. 47-4600; Filed, May 13, 1947; 10:32 a. m.]

^{[3}d Rev. RO 3,1 Amdt. 45]

¹11 F. R. 116.

TITLE 39-POSTAL SERVICE

Chapter I-Post Office Department

Subchapter B-Regulations

Part 21-International Postal Service GIFT PARCELS FOR PRISONERS OF WAR HELD ABROAD

Paragraph (c) (2) British-held prisoners of war under the country "Germany" (39 CFR, Part 21) as amended (12 F R. 705) is amended to read as follows:

(2) Contents permitted are nonperishable foodstuffs, tobacco and cigarettes; clothing, soap, mailable medical supplies, and similar items for relief of human suffering. No parcel shall contain any written or printed matter of any kind.

Any prohibited articles found in the parcels when they are checked by the British authorities will be liable to be confiscated.

(R. S. 161, 396, Sec. 304, 309, 42 Stat. 24, 25; 5 U.S. C. 22, 369)

J. M. DONALDSON. Acting Postmaster General.

[F. R. Doc. 47-4502; Filed, May 13, 1947; 8:45 a. m.l

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I-Interstate Commerce Commission

Subchapter B-Carriers by Motor Vehicle

[Ex Parte · No. MC-19]

PART 176—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COM-MERCE

PRACTICES OF MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 25th day of April A. D. 1947.

It appearing, that by order of July 17, 1939, in this proceeding, rules and regulations governing the practices of motor common carriers engaged in the transportation of household goods, in interstate or foreign commerce (49 CFR, Cum. Supp., Part 176), were approved and prescribed;

It further appearing, that by order of March 20, 1943, said proceeding was reopened for further hearing with respect to the practices of motor common carriers of household goods of (1) insuring or undertaking to insure or procure insurance on shipments, (2) giving estimates of costs of transportation and accessorial services, and (3) collecting dock charges, and certain proposed rules to govern such practices, including a modification of § 176.7 (Motor Carriers Household Goods rule 7),

And it further appearing, that such further hearing has been held, that full consideration of the matters and things involved has been given, and that on the date hereof, the said division has made and filed a report on further hearing

herein containing its findings of fact and conclusions thereon, which report is hereby made a part hereof: 1

It is ordered, that present regulations, § 176.4 (49 CFR, Cum. Supp.), Accessorial or terminal services; tariffs provid-ing therefor; packing and uncrating charges, shall be renumbered § 176.4 (a), and § 176.9 (49 CFR, Cum. Supp.), Effective date of tariffs, shall be renumbered § 176.4 (b), and the following rules and regulations supplementing those heretofore approved and prescribed in this proceeding, are prescribed to become effective on July 15, 1947, and shall follow § 176.8 (49 CFR, Cum. Supp.)

Sec.

176.9 Liability of carriers.

176.10 Estimates of charges. 176.11 Absorption or advancement of dock charges.

AUTHORITY: §§ 176.9 to 176.11, inclusive, issued under 49 Stat. 547, 553, 500; 49 U.S. C. 304 (c), 316 (e), 317 (a).

§ 176.9 Liability of carriers—(a) Liability restricted. Common carriers by motor vehicle of household goods shall not assume any liability in excess of that for which they are legally liable under their lawful bills of lading and published

(b) Insurance policy. Each such common carrier which sells, offers, or procures cargo insurance to or for a shipper of household goods shall deliver to the shipper at or prior to the time of shipment a policy or certificate of insurance which shall show clearly the name and address of the insurance company, the amount of insurance, the premium therefor, and the risks insured against, or the risks excluded, whichever is more ap-

propriate.

(c) Advertisement of insurance. Such common carriers or any employee, agent, or representative thereof shall not advertise or represent to the public that insurance is provided against all risks unless such insurance in fact affords protection to the shipper from every peril to which the shipment may be exposed. When all except certain risks are insured against, this fact shall be indicated in any advertisement of and in any representations to shippers regarding the insurance, and such advertising and representations shall not be such as to deceive or mislead the public or any shipper regarding the scope of the exceptions. Policies providing coverage against specific perils only shall be advertised, represented, and designated as "limitedrisk policies" or by some other appropriate designation which will indicate clearly to the shipper that not all risks are covered thereby.

(d) Filing tariffs and evidence of insurance prerequisite to advertising that "all loads are insured." Such carriers, or any employee, agent, or representative thereof, shall not advertise or represent to the public that "all loads are insured" or other similar wording unless such carrier has filed tariffs with this Commission assuming complete liability and has filed evidence of insurance with this Commission providing protection covering all shipments to their full value without limitation and insuring against every peril to which any shipment may be exposed.

§ 176.10 Estimates of charges—(a) Estimates by carrier. Wherever any estimate of the charges for a proposed service shall be made or given by such carrier to a proposed shipper of household goods, the estimate shall be in writing and shall contain the following:

(1) The correct name and address of the motor carrier and the name of the authorized agent who prepared the

(2) A list or other indication of the articles on which the estimate is based.

(3) The origin and destination of the proposed movement.

(4) The estimated weight of the goods to be transported.

(5) The applicable rate.

(6) An itemized statement of all accessorial services and charges.

(7) An estimate of the transportation tax.

(8) An estimate of the total charges. including the transportation tax.

(9) A printed statement on the face thereof, in a prominent position, in not less than eight point bold or full face type, the following:

Important notice. The actual charges which will be collected generally cannot be determined until after the property is loaded on a van and weighed.

The estimate covers only the articles and cervices indicated. If additional articles are to be shipped or additional services required, a supplemental estimate may be obtained.

The estimate of the charges herein made is not a warranty or guaranty that the actual charges will not exceed the amount estimated.

Carriers are required by law to collect transportation, packing, and other incidental charges computed on rates shown in their lawfully published tariffs regardless of any rate quotation or weight estimate made by the carrier.

(b) Estimate form for shapper's use. Carriers may furnish to shippers or prospective shippers an estimate form which may contain statements of the weights of average pieces of furniture and other household articles of various types, for use by the shipper in making his own estimate of the total weight of his goods. Any instructions necessary to enable the shipper to use the estimate form shall be printed in the form. If cubic foot measurements are used in arriving at the weight, the form shall state that a weight factor of seven pounds per cubic foot shall be used.

(c) Weight of shipment, notification to shipper After the shipment has been weighed, the carrier if requested by the shipper, shall immediately notify the shipper of the weight thereof and the charges, by telephone or telegraph if requested. The notice shall be at the carrier's expense unless the carrier provides in its tariff that the actual cost of such notice shall be collected from the shipper.

(d) Reweighing. The carrier shall, upon request made by the shipper before delivery and when practicable to do so,

No. 95-3

¹Filed as part of the original document.

RULES AND REGULATIONS

reweigh the shipment. A reasonable charge may be established for reweighing only when the difference between the two net scale weights does not exceed (1) 100 pounds on shipments weighing 5,000 pounds or less, and (2) 2 percent of the lower net scale weight on shipments weighing more than 5,000 pounds. The lower of the two net scale weights shall be used for determining the applicable charges.

§ 176.11 Absorption or advancement of dock charges. Motor common carriers of household goods shall not absorb any dock or other charge made by any warehouseman, nor shall any such carrier advance any such charge for the account of any shipper, owner, or other person, except upon the authorization of such person. Whenever such charges are advanced on behalf of the shipper, the carrier shall obtain a receipt therefor from

the warehouseman and deliver it to the shipper or the person designated by the shipper at the time the advanced charges are paid.

By the Commission, Division 5.

[SEAL]

W P. BARTEL, Secretary.

[F. R. Doc. 47-4514; Filed, May 13, 1947; 8:45 a. m.]

NOTICES

TREASURY DEPARTMENT

United States Coast Guard

ICGFR 47-271

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4418, 4426, 4470, 4481, 4488, and 4491, as amended, 49 Stat. 1544, 54 Stat. 1028, sec. 5 (e) 55 Stat. 244 (46 U. S. C. 367, 375, 391a, 392, 404, 463, 463a, 474, 481, 489, 50 U. S. C. 1275) and sec. 101, Reorganization Plan No. 3 of 1946 (11 F R. 7875), the following approvals of equipment are prescribed effective upon date of publication of this document in the Federal Register:

FIRE INDICATING AND ALARM SYSTEM

Fire alarm annunciator, automatic, supervised; Dwg. No. 55–100, Sheets 1, 2, and 3, Alt. 3, Dwg. No. 55–103, Alt. 5, Elementary system wiring diagram, Dwg. No. 55–104, Alt. 1, Relay, Dwg. No. 55–105, Alt. 0, Drop, Dwg. No. 55–106, Alt. 0, Zone panel assembly, Dwg. No. 55–107, Alt. 0, Control and test panel assembly, Dwg. No. A-6569, Alt. 0, Power failure alarm relay, Dwg. No. 55–101, Alt. 0, Fire alarm station, manual, Dwg. No. 55–102, Alt. 0, Fire alarm station, test, Dwg. No. 55–109, Alt. 0, Fire alarm system battery charging panel; manufactured by Henschel Corp., Amesbury, Mass.

FIRE EXTINGUISHING APPARATUS

Kidde 35-pound carbon dioxide hose rack semiportable fire extinguisher, Installation Dwg. No. I.—82835, dated July 9, 1946, manufactured by Walter Kidde & Co., 675 Main St., Belleville, N. J.

LIFEBOATS

30' x 10' x 4.13' Aluminum hand-propelled lifeboat, 83-person capacity Construction and Arrangement Dwg. No. 3125, dated Aug. 6, 1946 and revised Mar. 10, 1947, submitted by the Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

Foundation, Inc., Perth Amboy, N. J. 30' x 10' x 4.13' Aluminum motor-propelled lifeboat with radio cabin, 75-person capacity, Construction and Arrangement Dwg. No. 3124, dated Aug. 15, 1946 and revised Mar. 10, 1947, submitted by Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

30' x 9.67' x 4.17' Aluminum handpropelled lifeboat with pivoted thwarts for nested lifeboats, 70-person capacity, Construction and Arrangement Dwg. No. 3137, dated Oct. 16, 1946 and revised Mar. 26, 1947, submitted by the Welin Davit and Boat Division of the Robinson Foundation, Inc., Perth Amboy, N. J.

Dated: May 8, 1947.

[SEAL] J. F. FARLEY, Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 47-4525; Filed, May 13, 1947; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Circular 1646a]

ALASKA

POSTPONEMENT OF DATE FOR SALE OF LOTS IN EAST ADDITION TO KODIAK TOWN SITE

The time for the sale of lots in the East. Addition to Kodiak Town Site, Alaska, fixed by paragraph 3 of Circular No. 1646 of April 11, 1947 (12 F R. 2775) to begin on May 26, 1947, at 10 a. m., is hereby postponed to commence on June 18, 1947, at 10 a. m.

FRED W JOHNSON, Director

Approved: May 2, 1947.

WARNER W GARDNER,
Assistant Secretary of the Interior

[F. R. Doc. 47-4508; Filed, May 13, 1947; 8:46.a. m.]

[Misc. 2124454]

ARIZONA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

Correction

In Federal Register Document 47–3952, appearing on page 2750 of the issue for Saturday, April 26, 1947, the land description at the end of the document should read as follows:

Gila and Salt River Mebidian

T. 5 N., R. 2 W., Sec 23, W½SE¼ and E½SW¼.

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

New Mexico Livestock Exchange Stockyards, Albuquerque, N. Mex.

NOTICE RELATIVE TO POSTED STOCKYARDS

It has been ascertained that the New Mexico Livestock. Exchange Stockyards, at Albuquerque, New Mexico, originally posted as the New Mexico Livestock Exchange Company, Inc., on May 3, 1940, as being subject to the Packers and Stockyards Act, 1921, as amended, no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

Note: Notice of proposed rule-making has not preceded the promulgation of the foregoing order since it is found that so doing would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impracticable. There is no legal warrant or justification for not deposting promptly a stockyard which no longer comes within the definition of a stockyard contained in the Packers and Stockyards Act,

The foregoing rule is in the nature of a rule granting an exemption or relieving a restriction and, therefore, is made effective immediately.

(7 U. S. C. 181, et seq.)

Done at Washington, D. C., this 7th day of May 1947.

-[SEAL]

H. E. REED, Director, Livestock Branch.

[F. R. Doc. 47-4545; Filed, May 13, 1947; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-796, G-889]

SOUTHERN NATURAL GAS CO. AND EAST TENNESSEE NATURAL GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

Upon consideration of the following applications filed with the Federal Power Commission:

(i) Application filed on October 7, 1946, as amended on March 18, 1947, and May 1, 1947, in Docket No. G-796 by Southern Natural Gas Company for a certificate of

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public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing it to construct and operate the following-described pipeline facilities subject to the jurisdiction of the Federal Power Commission:

- A. 1947 construction program—(1) Main line compressor station additions.
- (a) 2,000 hp. in two units at the Louisville station.
- (b) 2,000 hp. in two units at the Reform station.
- (c) 2,000 hp. in two units at the Tarrant station.
- (d) 2,000 hp. in two units at the DeArmanville station. Total, 8,000 hp.
 - (2) Main line loop lines.
- (a) 3.5 miles of 20-inch line between Reform and Tarrant compressor stations.
- (b) 1.5 miles of 22-inch line between the Reform and Tarrant compressor stations.
- (c) 11.0 miles of 22-inch line extending eastward from the Tarrant station
 (d) 2.5 miles of 20-inch line between the
- DeArmanville station and Atlanta Total main line loops, 18.5 miles.
 - (3) Branch line loop lines.
- (a) Meridian (Mississippi) branch line-9 miles of 6%-inch loop line
- (b) Columbus-West Point (Mississippi) branch line-6.5 miles of 6%-inch loop line.
- B. 1947-48 construction program-Main line compressor station additions.
- (a) 10,000 hp. in ten units, at a new station (Station A) to be located approximately midway between present Pickens and Louisville stations
- (b) 10,000 hp. in ten units, at a new station (Station B) to be located approximately midway between the present Louisville and Reform stations
- (c) 8,000 hp. in eight units, at a new station (Station C) to be located approximately midway between the present Reform and Tarrant stations
- (d) 6,000 hp. in six units, at a new station (Station D) to be located approximately midway between the present Tarrant and De-Armanville stations
- (e) 3,000 hp. in three units, at a new station (Station E) to be located approximately thirty-two miles East of the present De-Armanville station.
 - (2) Main line loop lines.
- (a) 5.0 miles of 20-inch line between new Station A and the Louisville station
 (b) 3.5 miles of 20-inch line between new
- Station B and the Reform station
- (c) 5.5 miles of 20-inch line between new Station E and Atlanta

Total miles 14.0.

- (3) Branch line compressor station.
- 2,000 hp. in two units at a new station (McConnell's Station) to be located at the point where the Montgomery-Columbus branch line takes off from the main line.
 - (4) Gadsden branch line loop.
- 33 miles of 1234-inch pipe parallel to the present branch line.
- (5) Facilities to extend Applicant's system to new markets.
- (a) An extension-to Chattanooga, Tennessee. This will comprise approximately 44 miles of 85%-inch line extending from a point on Applicant's Cedartown-Calhoun, Georgia, branch line (at the end of the 6%-inch section of said line in Gordon County, Georgia) to a point of delivery in Catoosa County,

Georgia, at or near the Georgia-Tennessee state line near Chattanogga. A new compressor station of 1,600 H. P. is to be installed at the end of the 12%-inch rections of the Cedartown-Calhoun branch line, near Rockmart, Georgia, together with a meter station and dwelling houses at said point of delivery and appurtenant facilities. In the event Applicant makes contracts for delivery In the of gas for distribution in Recaville, Dalton and other communities along the route of the Chattanooga extension, such facilities will also include lateral lines and measuring facilities, or such portions thereof as Applicant may agree to construct, of appropriate sizes to supply such communities.

(b) An extension to Lexington, Micaissippi. This will comprise approximately 11

miles of 41/2-inch line extending from a point north of Goodman, Micslesippi, on the Good-man-Durant branch line in Holmes County, Mississippi, to the town of Lexington, Mis sissippi, together with a meter station and

appurtenant facilities.

(c) An extension to various cities and towns in North Alabams, including Athens, Decatur, Florence, Hartzelle, Huntsville, Sheffield and Tuccumbia. This extension will comprise approximately 97 miles of 1034-inch line commencing at a point on Applicant's main line east of its Reform compressor station and extending northward to Sheffield, and lateral lines comprising approximately 39 miles of 8%-inch line, 23 miles of 6%-inch line and 28 miles of 4½inch line extending to the other cities mentioned above. This project also includes the installation of 1,000 h. p. of additional compressing facilities at Applicant's Reform compressor station, a river crossing consisting of two 6%-inch lines across the Tennessee River, meter stations at various points of delivery and appurtenant facilities.

In the event Applicant makes contracts for the delivery of gas for distribution in other communities along the route of this extension, the facilities will also include lateral lines and measuring facilities, or such portions thereof as Applicant may agree to construct, of appropriate sizes to supply such communities. Such communities include Fayette, Winfield, Hamilton, Haley-

ville, Russellville, Town Creek, Leighton, Courtland, Wheeler, Hilictoro and Trinity.

(d) An extension to White Plains, Alabama. This extension will comprise approximately 7.5 miles of 4½-inch line comprise approximately 7.5 miles of 4½-inch line comprises approximately 7.5 miles of 4½-inch lin mencing at a point on Applicant's main line east of its DeArmanville compressor station and extending northward to a point in Calhoun County known as White Plains, where said line will connect with lines extending to the towns of Jacksonville and Pledmont, Alabama (which latter lines will be constructed and owned by the respective towns), together with a meter station and appurtenant facilities.

(e) A connection at Tallessee, Alabama. This will consist of a tap and meter station at a point on Applicant's Montgomery-Columbus branch line in the town of Tallessee, Alabama.

(ii) Application filed on April 17, 1947, in Docket No. G-889, by East Tennessee Natural Gas Company for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing it to construct and operate the following-described facilities subject to the jurisdiction of the Federal Power Commission:

(a) Approximately 186.5 miles of 16inch O. D. transmission pipeline extending from a point of take-off from the line of Tennessee Gas & Transmission Company at a point of interconnection approximately 5 miles northeast of that

company's compressor station No. 10, in an easterly or slightly southeasterly direction to a point near Chickamauga Dam in the immediate vicinity of Chattanooga, Tennessee.

(b) Approximately 112.4 miles of 123/4inch O. D. transmission pipeline extending from the point last mentioned in paragraph (ii) (a) above in a northeasterly direction to a point southeast of Knoxville, Tennessee, and in the ımmediate vicinity of the corporate limits of that city.

(c) Approximately 32.4 miles of 6-inch O. D. pipeline, 143.1 miles of 4-inch O. D. pipeline, and 70.9 miles of 31/2-inch O. D. pipeline, all of which will serve as lateral lines and will extend from the pipelines described in paragraphs (ii) (a) and (b) above.

It appears to the Commission that: Good cause exists for consolidating the proceedings in Docket Nos. G-796 and G-889 for the purpose of hearing.

The Commission, therefore, orders that:

(A) The proceedings in Docket Nos. G-796 and G-889 be and the same are hereby consolidated for the purpose of hearing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure (effective September 11, 1946) a hearing be held commencing on the 26th day of May, 1947, at 10:00 a. m., in Grand Jury Room, No. 355, Post Office and Court House Building, Chattanooga, Tennessee, concerning the matters involved and the issues presented by the applications and the amendments thereto, and other pleadings in these proceedings.

(C) Prior to the date herein fixed for the commencement of the public hearing with respect to the applications of Southern Natural Gas Company and East Tennessee Natural Gas Company, the officer designated by the Commission to preside at the public hearing shall hold a prehearing conference of all parties participating in the proceedings concerning the matters of fact and law asserted in the applications, as amended, and other pleadings filed in the proceedings for the purpose of settling, simplifying or limiting the issues and further apprising the parties of the formulated or stipulated issues upon which evidence must be adduced at the public hearing.

(D) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 C. F. R. 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure (effective September 11, 1946).

Date of issuance: May 8, 1947.

By the Commission.

LEON M. FUQUAY, [SEAL] Secretary.

[F. R. Doc. 47-4520; Filed, May 13, 1947; 8:46 a. m.l

MANUFACTURERS LIGHT AND HEAT CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MAY 9, 1947.

Notice is hereby given that, on May 9, 1947, the Federal Power Commission issued its findings and order entered May 6, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 47-4521; Filed, May 13, 1947; 8:46 a. m.]

[Docket Nos. G-806, G-325]

KANSAS-NEBRASKA NATURAL GAS CO., INC. AND TRI-COUNTY GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND DISMISSING APPLICATION

May 9, 1947.

Notice is hereby given that, on May 9, 1947, the Federal Power Commission issued its findings and order entered May 6, 1947, issuing certificate of public convenience and necessity and dismissing application in the above-designated matters.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 47-4624; Filed, May 13, 1947; 8:46 a. m.]

[Docket No. G-843]

INTERSTATE NATURAL GAS CO., INC.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

May 9, 1947.

Notice is hereby given that, on May 9, 1947, the Federal Power Commission issued its findings and order entered May 6, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 47-4523; Filed, May 13, 1947; 8:46 a. m.]

[Docket No. G-849]

United Fuel Gas Co.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

MAY 9, 1947.

Notice is hereby given that, on May 9, 1947, the Federal Power Commission issued its findings and order entered May 6, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

Leon M. Fuquay, Secretary.

[F. R. Doc. 47-4522; Filed, May 13, 1947; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 730]

UNLOADING OF COAL AT SHAMOKIN, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of May A. D. 1947.

It appearing, that two cars containing buckwheat coal at Shamokin, Pennsylvania, on the Reading Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

(a) Coal at Shamokin, Pa., be unloaded. The Reading Company, its agents or employees, shall unload immediately cars Rdg 89414 and Rdg 73054, containing buckwheat coal, on hand at Shamokin, Pennsylvania, account Lower Region Coal Company.

(b) Demurrage. No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 10, 1947, and continuing until the actual unloading of said sar or cars is completed.

(c) Provisions suspended. The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) Notice and expiration. Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading fequired by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U. S. C. 1 (10) – (17) 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 47-4511; Filed, May 13, 1947; 8:45 a. m.]

[S. O. 731]

Unloading of Caustic Soda at New Orleans, La.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of May A. D. 1947.

It appearing, that two cars containing caustic soda at New Orleans, La., on the Louisiana & Arkansas Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use, in the opinion of the Commission an emergency exists requiring immediate action: it is ordered, that:

(a) Caustic soda at New Orleans, La., be unloaded. The Louisiana & Arkansas Railway Company, its agents or employees shall unload immediately cars ATSF 121970 and PLE 30800, containing caustic soda, on hand at New Orleans, La., consigned to shippers order, notify H. S. Dorf Company.

(b) Demurage. No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order for the detention period commencing at 7:00 a. m., May 10, 1947, and continuing until the actual unloading of said car is completed.

(c) Provisions suspended. The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby

suspended.

(d) Notice and expiration? Said carrier shall notify V C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W P BARTEL, Secretary.

[F. R. Doc. 47-4512; Filed, May 13, 1947; 8;45 a. m.]

[S. O. 732]

Unloading of Machinery at New Orleans, La.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of May A. D. 1947.

It appearing, that two cars containing machinery at New Orleans, Louisiana, on the Louisville and Nashville Railroad Company, have been on hand for an unreasonable length of time, and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered that:

(a) Machinery at New Orleans, Louisvana, be unloaded. The Louisville and Nashville Railroad Company, its agents or employees, shall unload immediately cars MILW 13324 and C&NW 42597, loaded with machinery, now on hand at New Orleans, Louisiana, consigned to American Commercial Transports Company, % H. P. Lambert Company, New Orleans, Louisiana,

(b) Demurrage. No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 10, 1947, and continuing until the actual unloading of said car is completed.

(c) Provisions suspended. The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby

suspended.

(d) Notice and expiration. Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be giver to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4; 54 Stat. 901, 911, 49 U. S. C. 1 (10)-(17) 15 (2))

By the Commission, Division 3.

[SEAL]

W P. BARTEL. Secretary.

[F. R. Doc. 47-4513; Filed, May 13, 1947; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-127, 59-3, 59-12]

ELECTRIC BOND AND SHARE CO. ET AL.

ORDER GRANTING APPLICATION AND PERMIT-TING DECLARATION TO BECOME EFFECTIVE

In the matter of Electric Bond and Share Company, File No. 54–127; Electric Bond and Share Company and its subsidiary companies, respondents, File No. 59-3; Electric Bond and Share Company, American Power & Light Company, National Power & Light Company and Electric Power & Light Corporation, et al., respondents, File No. 59-12.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of May A. D. 1947.

Electric Bond and Share Company ("Bond and Share"), a registered holding company, having filed with this Commission, pursuant to sections 9, 10 and 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-44 and U-50 of the rules and regulations promulgated thereunder, a supplemental application and declaration designated as Amendment No. 5 to its Plan II-A. and

Bond and Share having proposed in said application and declaration to sell at competitive bidding, in the manner hereinafter provided, 423,408 shares of common stock of Carolina Power & Light Company ("Carolina"), plus not exceeding 25,000 shares of such stock which Bond and Share may acquire for the purpose of stabilizing the market as

hereinafter described:

Bond and Share having further proposed in said application and declaration that, as an optional alternative to the usual procedure under Rule U-50, the company will invite sealed, written proposals for the underwriting of such shares by publishing a notice requesting that any persons interested in such underwriting advise Bond and Share to that effect in writing on or before a specified date (which shall not be earlier than the fourth day after the publication of the notice) and on or after such specified date the company by telegram will notify all persons who have so signified their interest that sealed bids should be presented at a designated time and place, the designated time to be not less than 48 hours (exclusive of Sundays and holidays) after the sending by Bond and Share of such telegraphic notice;

Bond and Share having also requested permission in said application and declaration to purchase not in excess of 25,000 shares of the common stock of Carolina on the New York Stock Exchange for the purpose of stabilizing the price of such stock from the time that the company sends the above described telegraphic notice to the prospective underwriters until the time blds are opened. any such purchases to be made at a price (exclusive of commissions) not in excess of the last preceding sale price of Carolina common stock on such exchange:

Bond and Share having further requested that the Commission's order contain findings and recitations conforming to the provisions and requirements of section 1808 (f) of the Internal Revenue Code, as amended;

The Commission having issued a notice pursuant to Rule U-23 with respect to said application and declaration; and

Samuel Okin, a common stockholder of Bond and Share, having requested a hearing with respect to said application and declaration, and the Commission having heard oral argument and having this day issued its findings and opinion herein;

On the basis of said findings and opinion It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935 that the said application and declaration be, and the same hereby are, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed sale of Carolina common stock shall not be consummated until the results of competitive bidding shall have been made a -matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate:

It is further ordered. That jurisdiction be, and hereby is, reserved over the payment of all fees and expenses in connection with the proposed transactions, including the fees and expenses of counsel for the successful bidder;

It is further ordered, That any transfer, pursuant to any sale by Bond and Share, of any shares of the common stock of Carolina (not exceeding 25,000 shares) which may be purchased by Bond and Share in the course of the above-mentioned stabilizing operations is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Util-

ity Holding Company Act of 1935;
It is further ordered, That Samuel Okin's request for a hearing with respect to said application and declaration be and hereby is denied.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 47-4504; Filed, May 13, 1947; 8:46 a. m.]

[File Nos. 70-1434, 70-1495]

STANDARD GAS AND ELECTRIC CO. AND CALI-FORMIA OREGON POWER CO.

ORDER GRANTING APPLICATIONS AND PERMIT-TING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 8th day of May 1947.

Standard Gas and Electric Company ("Standard Gas"), a registered holding company, having filed an application and declaration and amendments, thereto pursuant to the Public Utility Holding Company Act of 1935 ("act") and The California Oregon Power Company ("Copco"), a public utility subadiary of Standard Gas having filed an application and declaration and amendment thereto pursuant to the act (in which applications and declarations, as filed or amended, sections 11 (b), 12 (a) 12 (d), 6 (b) and 9 (a) of the act and rules U-23, U-24, U-42, U-44 and U-50 are designated as applicable) with respect to the following transactions:

Copco proposes to issue and sell at competitive bidding pursuant to the requirements of Rule U-50 promulgated under the act, 60,000 shares of -% Cumulative Preferred Stock, par value 3156 NOTICES

\$100 per share ("New Preferred Stock") The annual dividend rate of the New Preferred Stock (to be a multiple of 1/10 of 1% of the par value) and the price per share to be received by Copco (to be not more than \$102.75 per share and not less than \$100 per share) will be determined by the competitive bidding. Copco also proposes to issue and sell 18,000 shares of Common Stock, par value \$20 per share, at competitive bidding pursuant to the requirements of Rule U-50. The proceeds of the sale of the 60,000 shares of New Preferred Stock and of the 18,000 shares of Common Stock will be used by Copco (1) for the redemption at \$110 per share of its outstanding 45,761 shares of Six Per Cent Preferred Stock, Series of 1927 ("Old Preferred Stock"), reduced by such number of shares of Old Preferred Stock as shall have been acquired and donated to Copco by Standard Gas (as more particularly hereinafter set forth) and (2) for reimbursement of its treasury in part for expenditures heretofore made and to be made for additions and betterments to its properties:

Standard Gas proposes to sell 390,000 shares of Common stock of Copco, par value of \$20 per share, pursuant to the requirements of Rule U-50, such sale to be made coincidentally with the sale by Copco of 18,000 shares of its Common Stock, par value of \$20 per share. The net proceeds of the sale of said 18,000 shares of Common Stock of Copco will be applied by Standard Gas towards the payment of interest and principal on its promissory notes dated April 10, 1946, issued to certain banks under a Bank Loan Agreement dated December 21, 1945, as supplemented by supplemental agreements dated February 15, 1946, April 5, 1946 and April 5, 1947 or any further extensions or supplemental agreements in respect thereto which may have been entered into by Standard Gas and approved by the Commission prior to the

time the proceeds are received.

Standard Gas further proposes, prior to the issue and sale of the new securities of Copco, to acquire in the open market certain shares of the Old Preferred Stock of Copco equal in number, as nearly as practicable, to 3,000 shares, and to donate to Copco the shares so acquired as a capital contribution, in the sum of \$300,000 (assuming 3,000 shares are so acquired by Standard Gas) against which \$13,700 discount and expense applicable to such donated stock will be charged immediately by Copco.

Copco próposes to amend its Amended Articles of Incorporation in order to reclassify its presently outstanding 312,000 no par value shares of Common Stock (having an aggregate stated capital equivalent in value to \$25 per share) all of which are owned by Standard Gas, into 390,000 shares of Common Stock of the par value of \$20 per share; and also to provide for the authorization of the New Preferred Stock and to set forth the preferences, voting powers, restrictions and qualifications of said New Preferred Stock and the Common Stock, par value \$20 per share. Standard Gas undertakes to consent to the proposed amendments to the Amended Articles of Incorporation of Copco.

Copco proposes to charge the total of (a) the amount of capital stock discount and expense relating to the Old Preferred Stock to be redeemed, (b) the redemption premiums on such stock, and (c) the expense of the redemption of such stock, as follows: \$286,300 of these items to the capital surplus created by the donation by Standard Gas of shares of Old Preferred Stock (assuming the number of such donated shares will be 3,000) and the balance of the total of these items, being approximately ,\$339,-592, to earned surplus. Copco further proposes to charge to earned surplus the following items: (1) Duplicate dividends of \$42,761 to be incurred in connection with the redemption of its Old Preferred Stock; and (2) the unamortized balance of \$561,442, as of May 1, 1947, of its unamortized debt discount and expense, presently carried in its accounts in respect of redemption premium and expense applicable to its first mortgage bonds redeemed in 1944.

Both Standard Gas and Copco have requested that the ten-day notice for inviting bids as provided for by subsection (b) of Rule U-50 be shortened to six days so as to minimize the possibility of a postponement of the opening of bids due to a change of market conditions between the time the day of opening of bids is designated and such day. In this connection, Standard Gas and Copco have not designated a day certain on which bids are to be opened but they propose to advise the Commission by telegram on the day preceding the publication of a public invitation for bids of their intention so to do and the proposed date of the opening of such bids.

Copco and Standard Gas have requested that the Commission make the specifications and itemizations necessary in order that the provisions of sections 1808 (f), 371 (a), 371 (b) and 371 (f) of the Internal Revenue Code shall be applicable to the proposed transactions.

Copco has applied to the Public Utilities Commission of the State of California, in which State Copco is organized and doing business, and to the Public Utilities Comissioner of Oregon, in which State Copco is also doing business, for their respective orders authorizing the reclassification of the Common Stock of Copco, the issue and sale of 18,000 shares of Common Stock, as reclassified, and 60,000 shares of ____% Cumulative Preferred Stock, and the use of the proceeds of such sale for redemption of such of its outstanding shares of Old Preferred Stock as shall not have been surrendered as a capital contribution, and with respect to other matters, including to the extent required authority to make the accounting entries hereinabove referred

Said separate applications and declarations having been filed on March 26, 1947, and Standard Gas having filed an amendment to its application and declaration on April 2, 1947, and both Standard Gas and Copco having requested on April 25, 1947, that the effective date of these filings be postponed to May 5, 1947, and both Standard Gas and Copco having filed amendments to their respective applications and declarations on May 2, 1947, and notice of said filings, as then

amended, having been duly given by the Commission on April 3, 1947, in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said applications and declarations, as filed or amended, within the period specified in said notice or otherwise, and not having produced a hearing thereon; and

ordered a hearing thereon; and
It appearing that the amendments
filed May 2, 1947 include certain transactions with respect to which the Commission has deemed it appropriate that further public notice be given so that interested persons may have an oppor-tunity to request a hearing with respect to such transactions, and that accordingly such a public notice has been given by separate notice of filing issued this day (Holding Company Act Release No. 7388) to which reference is hereby made, which notice relates to the acquisition in the open market by Standard Gas of approximately 3,000 shares of Old Preferred Stock of Copco, the contribution of such shares by Standard Gas to Copco, and certain accounting treatment relating thereto; and

The Commission finding with respect to said applications and declarations, as amended, (except as to those transactions heretofore referred to and more fully summarized in the aforesaid notice of filing issued this day), that the requirements of the applicable provisions of the act and rules thereunder are satisfied, that no adverse findings are necessary thereunder, and that it is appropriate in the public interest and in the interests of investors and consumers that said applications and declarations, as amended, (except as to the particular matters specified in the aforesaid notice of filing issued this day) should be granted and permitted to become effective, subject, however, to the terms and conditions hereinafter set forth;

It is hereby ordered. That, pursuant to Rule U-23, said applications and declarations, as amended, (except as to the matters set forth in the notice of filing issued this day hereinabove referred to), be, and the same are hereby granted and permitted to become effective, subject to the terms and conditions prescribed in Rule U-24 and subject to the following further conditions:

1. That Copco obtain authorizations from the Public Utilities Commission of the State of California and the Public Utilities Commissioner of Oregon for the transactions proposed to be done by

Copco.

2. That the proposed sale by Copco of 60,000 shares of —% Cumulative Preferred Stock, par value \$100 per share and 18,000 shares of its Common Stock, par value \$20 per share, and the proposed sale by Standard Gas of 390,000 shares of the Common Stock, par value \$20 per share, of Copco shall not be consummated:

(a) Until after the entry of an order approving or making other disposition of those matters contained in said applications and declarations, as amended, which are not granted nor permitted to become effective by the terms of this order (which matters are more specifically set forth in the notice of filing is-

sued this day hereinabove referred to), and

(b) Until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record herein and a further order shall have been entered with respect thereto, which order may contain such further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction is hereby reserved.

It further appearing that it is appropriate that the Commission at this time reserve for further consideration the requests made by Copco and by Standard Gas for certain findings and other relief pursuant to the provisions of sections 371 (a) 371 (b) 371 (f) and 1808 (f) of the Internal Revenue Code, and that it is appropriate to reserve jurisdiction with respect to such requested order and findings; and it further appearing that it is appropriate that the Commission at this time reserve jurisdiction with respect to all fees and expenses incurred or to be incurred in connection with the proposed transactions:

It as further ordered, That jurisdiction be and the same hereby is reserved with respect to the specifications and itemizations to be made by the Commission in order that the provisions of sections 371 (a) 371 (b) 371 (f), and 1808 (f) of the Internal Revenue Code shall be applicable to the proposed transactions, and with respect to all the fees and expenses incurred or to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 47-4503; Filed, May 13, 1947; 8:45 a. m.]

[File Nos. 59-88 and 59-9]

PHILADELPHIA CO. ET AL.

MEMORANDUM OPINION AND ORDER REGARD-ING SIMPLIFICATION OF HOLDING COM-PANY SYSTEM, PRACTICE AND PROCEDURE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 6th day of May A. D. 1947.

In the matter of Philadelphia Co. and certain of its subsidiary companies and Standard Power and Light Corporation and Standard Gas and Electric Company, respondents, File No. 59–88; Standard Power and Light Corporation, Standard Gas and Electric Company and subsidiary companies thereof, respondents, File No. 59–9.

Requests for leave to be heard; motion to strike out appearances and evidence. Where respondents in section 11 (b) proceedings move to strike appearances of and evidence introduced by persons for failure to comply with provision in notice of and order instituting proceedings that persons requesting leave to be heard comply with Rule XVII of the rules of practice and state issues proposed to be controverted and the additional issues to be raised, held, motion granted, unless such persons shall state issues they propose to controvert and additional is-

sues they propose to raise or present valid reason for their inability to do so.

Motion for hearing on purported section 11 (e) plan and for consolidation with pending section 11 (b) proceedings. Where respondents' answer in section 11 (b) proceedings contains what purports to be a section 11 (e) plan and respondents move for hearing on said plan and for consolidation with pending proceedings, held, motion granted and any issues raised by purported plan, including issue whether it can properly be regarded as a plan under section 11 (e) will be considered in consolidated proceedings.

Motion to defer entry of section 11 (b) order. Where respondents' answer in section 11 (b) proceedings contains what purports to be a section 11 (e) plan and respondents move to defer the entry of section 11 (b) order until consideration and determination of alleged plan, held, decision reserved on motion until conclusion of hearings and submission of case to Commission.

Appearances: H. Eastman Hackney, Robert J. Dodds, Jr., Reed, Smith, Shaw & McClay, A. Louis Flynn, Helmer Hansen, Howard M. Swartz, and Philip A. Fleger, for respondents.

William S. Moorhead and George E. Flinn, of Moorhead & Knox, for Monongahela Street Railway Company and Pittsburgh and Birmingham Traction Company.

Richard W. Ahlers, for Suburban Rapid Transit Street Railway Company.

Alfred Berman and J. Howard Rossback, of Guggenheimer & Untermyer, for Christian A. Johnson and Kent Cochran.

Maurice J. Dix, for Jules Guggenheim, et al.

James E. Reily, of White & Williams for Protective Committee of Public Holders of No Par Value Common Stock of Philadelphia Company.

Paul S. Davis and Howard S. Guttmann, for the Public Utilities Division of the Commission.

By order dated December 5, 1946, we instituted these proceedings pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 ("the act") Our order also consolidated the proceedings with prior proceedings instituted pursuant to section 11 (b) (1) of the act. Hearings are in progress and have been recessed until May 12, 1947.

Philadelphia Company and certain of its subsidiary companies² ("respondents") have filed two motions. The first motion requests that we strike the appearances of and evidence introduced by certain persons who appeared at the hearings.³ The second motion requests

This motion was initially made to the trial examiner with reference to certain of relief with respect to a purported plan under section 11 (e) of the act, contained in respondents' answer filed in these proceedings. Respondents have submitted briefs in support of both their motions, and answering briefs in opposition to the first motion were filed by some of the persons to whom the motion is directed. The Public Utilities Division has filed briefs with respect to both motions.

We shall consider each of the motions in turn.

1. Motion to strike appearances and evidence. Respondents move to strike from the record the appearances made in these proceedings by Monongahela Street Railway Company ("Mononga-hela") Pittsburgh and Birmingham Traction Company ("Birmingham") • the Suburban Rapid Transit Street Railway Company ("Suburban") Jules Guggen-heim, et al., Christian A. Johnson and Kent Cochran; and Robert M. Saville, Alda Strode and Clara E. DeClerque; and also to strike evidence introduced at the hearings by Monongahela, Birmingham and Suburban. As grounds for this motion, respondents assert that the persons named have not complied with the terms of our order of December 5, 1946, insti-tuting these proceedings. That order provided that any person desiring to be heard shall file an application complying with Rule XVII of our Rules of Practice and stating the applicant's interest, his reasons for requesting to be heard and the allegations and issues set forth in the order which he proposes to controvert, together with a statement of any additional issues he proposes to raise in the Respondents have also proceedings. moved that the above named persons be denied the privilege of being heard until they have exemplified with our order of Dacember 5, 1946.

Monongahela and Birmingham, parties to certain leases guaranteed by the Philadelphia Company, filed applications for leave to be heard, and the trial examiner, exercising the discretion in such matters given to him by Rule XVII of our Rules of Practice, granted their requests. In the course of the hearings. both companies stated on the record that they did not have sufficient knowledge either to controvert any allegations set forth in the order instituting the proceedings or to raise any additional issues, and, consequently at the present stage of the proceedings did not propose to deny any allegations or raise any new issues. Both companies have also introduced certain documentary evidence.

Respondents contend that Monongahela and Birmingham, in falling to state the allegations which they propose to controvert and any new issues which they propose to raise, have not complied with the provision in our order of December 5, 1946. Respondents assert that they are entitled to timely warning as to

¹Holding Company Act Release No. 7025.
²The subsidiary companies referred to are Duquesne Light Company, Equitable Gas Company, Pittsburgh and West Virginia Gas Company, Kentucky West Virginia Gas Company, Allegheny County Steam Heating Company, Cheswick and Hamar Railroad Company, The Consolidated Gas Company of the City of Pittsburgh, Equitable Auto Company, Equitable Real Estate Company, Equitable Sales Company, Finleyville Oil and Gas Company, and Philadelphia Oil Company.

the persons appearing. The examiner denied the motion and certified the question to us for consideration, after the respondents ex-

for consideration, after the superior cepted to his rulings

*Rule XVII (b) of our Rules of Practice provides in pertinent part: "Requests for leave to be heard * * * shell set forth the nature and extent of the applicant's interest in the proceeding, * * **

the persons from whom opposition can be expected, timely notice of new issues which any interested person might care to raise, and a fair and orderly hearing upon such issues with a minimum of surprise.

The provision in our order that applicants for leave to be heard shall state their position was intended to provide for the joinder of issues as soon as possible, thereby facilitating an orderly and expeditious trial of the issues in the proceedings> However, while such provision is intended to simplify and expedite the proceeding to the fullest extent practicable, it does not contemplate or require thé impossible. We appreciate that, in some instances, interested persons, either because they lack sufficient information or for some other valid reason, may be unable to present such statement at the outset of the proceedings. Particularly is this true in proceedings of this type where complex factual and legal issues Under such circumare presented. stances, we think it proper that interested persons should be permitted to defer taking an affirmative position until the evidence has been developed to the point where the effect on their interests has become evident. It is only at that time that they may actually be in a position to state what allegations, if any, they wish to controvert or what additional issues, if any, they wish to raise. It may well be that at that time they will decide to do neither. On the other hand, if at any stage of the proceedings the respondents are "surprised" by the controverting of allegations in the order or the injection of new issues, they will, of course, have the right to request, and upon a proper showing will be afforded. a reasonable opportunity to meet such

As we have already pointed out, Monongahela and Birmingham have stated that they do not now have sufficient information either to deny allegations or to raise additional issues. We do not believe they have been captious in this respect and we find that their statement constitutes compliance, to the extent practicable at this time, with our order of December 5, 1946. Accordingly, respondents' motion to strike the appearances of and evidence introduced by these companies is denied.

Suburban, also a party to a lease which the Philadelphia Company has guaranteed, filed an application for leave to be heard, which was granted by the trial examiner, and has introduced certain documentary evidence. Suburban, whose interests appear to be similar to those of Monongahela and Birmingham, made no statement either in its original application or on the record of its position with reference to the issues in these proceedings. However, Suburban on May 2, 1947, filed a supplemental statement to its application, advising that its position is identical with that of Monongahela and Birmingham. For the reasons we have previously set forth, we find that Suburban has complied, to the extent practicable at this time, with our order of December 5, 1946. Accordingly, respondents' motion to strike the appearance of and evidence introduced by Suburban is denied.

Kent Cochran and Christian A. Johnson, owners of \$4 Preferred Stock of Standard Gas and Electric Company and directors of that company on behalf of the \$4 Preferred Stock, have filed an application for leave to be heard, which was granted by the trial examiner. They have made no statement in the record or in their application of their position as to the issues raised in these proceedings. However, in their briefs opposing respondents' motion, they have stated that they are minority members of Standard's board of directors and have not been kept fully advised of Standard's position in these proceedings and that at the present time they are not able to deny any allegations or raise any additional issues. For the reasons we have previously set forth, we find that the statement contained in the brief constitutes an adequate statement of interest and position and complies with our order of December 5, 1946. Accordingly, respondents' motion as to Cochran and Johnson is denied.

Jules Guggenhéim, et al., a group of public security holders, have filed no application for leave to be heard. While this group has not stated whether or not they propose to deny any allegations in the order for hearing, they have filed a document designated as an "answer," which raises additional issues and which does state the nature of their interest in the proceedings. We shall treat this group's "answer" as an application for leave to be heard. However, to clarify its position, the group should state its views on the allegations set forth in the order for hearing. Accordingly, respondents' motion is granted, unless the group, either in writing or on the record within 5 days after the hearing in these proceedings shall be reconvened, makes a statement with respect to existing issues or else presents adequate reasons for its inability to do so at that time.

Counsel for Robert M. Saville, Alda Strode and Clara E. DeClerque, public security holders, stated on the record that he proposed to file an application for leave to be heard on their behalf at a later time. Subsequently, he filed such application on behalf of a "Protective Committee of Public Holders of No Par Value Common Stock of Philadelphia Company" which represents, among others, the above mentioned three persons. Examination of the Committee's application reveals compliance with Rule XVII and the requirements of our order of December 5, 1946. Since it appears that the position of the Committee reflects the views of Saville, Strode and DeClerque, respondents' motion as to these persons is denied.

2. Motion for relief with respect to purported section 11 (e) plan. The order instituting these proceedings required each respondent to file an answer, which might include a statement as to the steps any respondent was prepared to take to comply with section 11 (b) of the act. Respondents, in their answer, in addition to admitting or controverting allegations contained in the order for hearing, set forth what purports to be a plan pursuant to section 11 (e) of the act.

As to the initial hearing in these proceedings, respondents moved to stay the section 11 (b) proceedings pending consideration and disposition of its purported section 11 (e) plan. On February 28, 1947, in a memorandum opinion we denied this motion, stating: without now deciding whether what is contained in Philadelphia's answer can be properly regarded as a plan filed under section 11 (e) of the act, it is appropriate that the issues raised by such answer be considered in these consolidated proceedings." 8 Respondents now move that the purported plan be set down for hearing after notice to all in-terested persons, that such hearing be consolidated with the hearings presently being held in the section 11 (b) proceedings, and that the entry of any order under section 11 (b) of the act be deferred until after consideration and determination of the purported plan,

Counsel for the Public Utilities Division contends that the purported plan should not be set down for hearing because, it is asserted, it is incomplete, inadequate and in its present form could not be approved or effectuated. Counsel for the Division maintains that to the extent that the purported plan represents a statement of position by the respondents as to their method of meeting certain of the issues raised in the section 11 (b) proceedings, we can consider such statement under the terms of the order instituting these proceedings.

We do not believe that it is necessary at this time to determine whether what is contained in respondents' answer can be properly regarded as a plan under section 11 (e) of the act. Any section 11 (e) plan, in order to qualify for approval by the Commission, must be found necessary to effectuate the provisions of section 11 (b) of the act. Consideration of the issues raised by a section 11 (e) plan clearly involves, therefore, questions of fact and law similar to those involved in section 11 (b), proceedings. Accordingly, we believe it appropriate and in the interest of orderly administration and expedition to treat the issues raised by the purported section 11 (e) plan including the issue of whether it is in fact a section 11 (e) plan as part of these proceedings and to the extent that additional formal consolidation is necessary, it is hereby ordered.

With respect to the necessity for additional notice, it is our understanding that security holders of respondents have already been furnished with copies of

⁵Philadelphia Company, — S. E. C. —, Holding Company Act Release No. 7239, p. 3. ⁶The Division points out that the purported plan cannot be properly regarded as a plan under section 11 (e) of the act because, inter alla, the plan as submitted is at most a statement of position by the Philadelphia Company that it can retain under its control electric, gas, transportation and other operations and a statement of its intention to eliminate certain companies from its system, without indicating what mechanics are to be employed or the time within which such proposals are to be effectuated, and further because the purported plan makes no proposals as to the disposition or treatment of the interests of security holders of the various companies in the system.

respondents' answer, which contains the purported plan and which, in itself. would put such persons on notice that the purported plan had been filed in the section 11 (b) proceedings and that it raised certain issues therein. Under the circumstances, we think the only additional notice necessary will be given if this opinion is published and served in the same manner as the notice of and order for hearing herein and we so order. We see no reason why the consolidated proceedings should not be resumed on May 12, 1947, the date scheduled, since, at that time or thereafter in the hearings, persons who have not theretofore appeared will, on a proper showing, have an opportunity to explore all issues in the proceedings:

As to respondents' request that entry of an order in the section 11 (b) proceedings be deferred until after consideration and determination of the purported section 11 (e) plan, we think such request is premature and need not be passed on at this time. Accordingly, we are reserving our ruling on such request until the conclusion of the consolidated hearings and at that time will dispose of this part of the motion in connection with our consideration of the entire proceedings.

Respondents have requested oral argument with respect to both of their motions. Since the issues raised were fully explored in the briefs and since it does not appear that oral argument would be of any additional aid in the disposition of the motions, such request is demed.

It's therefore ordered, That respondents' motions are granted to the extent provided for in the foregoing and in all other respects denied.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 47-4505; Filed, May 13, 1947; 8:46 a. m.]

[File Nos. 70-1494, 70-1495]

STANDARD GAS AND ELECTRIC CO. AND CALIFORNIA OREGON POWER CO.

NOTICE REGARDING AMENDMENTS TO FILINGS

At a regular session of the Securities and Exchange Commission held at its office in the city of Philadelphia, Pa., on the 8th day of May 1947.

Notice is hereby given that Standard Gas and Electric Company ("Standard Gas"), a registered holding company, and its subsidiary, The California Oregon Power Company ("Copco") a public utility company, have on May 2, 1947, filed separate amendments to their applications and declarations herein pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly sections 9 (a) and 10 thereof.

Notice is further given that any interested person may not later than May 14, 1947, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on certain of the proposed transactions set forth in said amendments

filed May 2; 1947, hereinafter described, which are in addition to the proposed transactions summarized in Holding Company Act Release No. 7327, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said additional proposed transactions, hereinafter described, which he proposes to controvert or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter (unless the Commission should prior thereto, at the request of any interested person or on its own motion, order a hearing thereon) the applications or declarations, as amended, herein, in so far as they relate to the transactions hereinbelow summarized, may be granted or may be permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated under said act, or as otherwise provided under said act and rules and regulations, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said applications and declarations, as presently amended, which are on file in the office of the Commission, for a more complete statement of the transactions therein proposed, which transactions (being in addition to and in connection with certain other transactions proposed by Standard Gas and Copco and in large part summarized in Holding Company Act Release No. 7327) may be summarized as follows:

Standard Gas proposes, prior to the proposed issue and sale by Copco of 60,000 shares of its __% Cumulative Preferred Stock and 18,000 shares of its Common Stock, par value \$20 per share, to acquire on the open market certain shares of the Six Per Cent Preferred Stock, Series of 1927, of Copco, equal in number, as nearly as practicable, to 3,000 shares, and to donate to Copco the shares so acquired as a capital contribution in the amount of \$300,000 (assuming 3,000 shares are so acquired by Standard Gas) shares are so acquired by Standard Gas) spans which \$13,700 discount and expense applicable to such donated stock will be charged immediately by Copco.

Copco proposes to charge to the capital surplus (amounting approximately to \$286,300) created by this donation a portion of the total of (a) the amount of capital stock discount and expense relating to its Six Per Cent Preferred Stock, Series of 1927, proposed to be redeemed, (b) the redemption premium on such stock, and (c) the expenses of the redemption of such stock. Copco proposes . to charge to earned surplus the balance of approximately \$339,592 of these items together with duplicate dividends of \$42,761 to be incurred in connection with the redemption of its Six Per Cent Preferred Stock, Series of 1927.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 47-4506; Filed, May 13, 1947; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR. Cum. Supp., E. O. 9537, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9783, Oct. 14, 1946, 11 F. R. 11931.

[Vesting Order 8793]

AUGUST BARBEY

In re: Estate of August Barbey, deceased. File No. D-28-10311; E. T. sec. 14692.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Fick, Louise Fick and Emil Fick, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of August Barbey, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany).

3. That such property is in the process of administration by Miss Elsie M. Bens, as Executrix, acting under the judicial supervision of the Court of Probate, District of Cheshire, Connecticut:

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL]

Donald C. Cook, Director.

[F. R. Doc. 47-4527; Filed, May 13, 1947; 8:47 a. m.]

[Vesting Order 8300]

IDA EGGERT

In re: Estate of Ida Eggert, deceased. File D-28-11431; E. T. sec. 15670.

Under the authority of the Trading with the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Herman Krause, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the heirs, names unknown, of Herman Krause, who there is reasonable cause to believe are residents of Germany, are nationals of a designated

enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons-identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Ida Eggert, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by William G. Haas. as executor, acting under the judicial supervision of the Probate Court of Ber-

rien County, Michigan;

and it is hereby determined:

5. That to the extent that the above named person and the heirs, names unknown of Herman Krause, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national

interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F R. Doc. 47-4528; Filed, May 13, 1947; 8:47 a. m.]

[Vesting Order 8804] CHRISTIAN GOETZ ET AL.

In re: Christian Goetz vs. Regina -Gradolph et al. File D-28-9314; E. T.. sec. 12307:

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Regina Gradolph, Rosina Weber and Sophia Messer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the sum of \$2,282.67 deposited with the Clerk of the Probate Court of Marion County, Indiana, pursuant to an order of the Probate Court of Marion County, entered August 29, 1945, in the matter of Christian Goetz vs. Regina Gradolph et al., is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

3. That such property is in the process of administration by the Clerk of the Probate Court of Marion County, Indiana (Probate Case No. 3772), acting under the judicial supervision of the Probate Court of Marion County, Indiana.

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section' 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F. R. Doc. 47-4529; Filed, May 13, 1947; 8:47 a. m.]

[Vesting Order 8805] ADAM KLEIN

In re: Estate of Adam Klein, deceased. File No. D-28-8866; E. T. sec. 11009.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law; after investigation, it is hereby found:

1. That Karoline Achtziger, Michael Duetsch, Joseph Duetsch, Margareta Kassecker, Anna Brueckner, Edith Haas, Heinrich Haas and Hedwig Haas, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the personal representatives. heirs, next of kin and distributees, names unknown of Johann Duetsch, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That the sum of \$173.33 was paid to the Alien Property Custodian by James W Brown, Administrator of the Estate of Adam Klein, deceased;

4. That the said sum of \$173.33 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 and the personal representatives, heirs, next of kin and distributees, names unknown, of Johann Dautsch, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national in-

terest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-wise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tune to confirm the vesting of the said property in the Attorney General of the United States by acceptance thereof on March 12, 1947, pursuant to the Trading with the Enemy Act, as amended.
The terms "national" and "designated

enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL]

DONALD C, COOK, Director

[F. R. Doc. 47-4530; Filed, May 13, 1947; 8:47 a. m.]

[Vesting Order 8808] AUGUSTA W RATHJE

In re: Estate of Augusta W. Rathje, deceased. File F-66-9; E. T. sec. 34.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law. after investigation, it is hereby found:

1. That Mieta Classen, Wilhelm Rathje and Loise Weber, whose last known address is Germany, are residents of Germany and nationals of a designated

enemy country (Germany),
2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Augusta W Rathle. deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

3. That such property is in the process of administration by The First National Bank of Westwood, as executor, acting under the judicial supervision of the Orphans' Court of Bergen County, New Jersey.

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Atforney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

- Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

[F. R. Doc. 47-4531; Filed, May 13, 1947; 8:50 a. m.]

[Vesting Order 8809] Anna Rosenbusch

In re: Estate of Anna Rosenbusch, deceased. File No. D-28-11579; E. T. sec. 15796.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Andrew Rosenbusch, Margaret Fleischman, John Rosenbusch, Margaret Michel, and Christian Fleischman, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country, (Germany)

2. That the issue, names unknown of Andrew Rosenbusch, the issue, names unknown of Margaret Fleischman, the issue, names unknown of John Rosenbusch, the issue, names unknown of Margaret Michel, and the issue, names unknown of Christian Fleischman, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Anna Rosenbusch, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by Curt Arno Gunther, as Executor of the Estate of Anna Rosenbusch, deceased, acting under the judi-

cial supervision of the Surrogate's Court, Bronx County, New York;

and it is hereby determined:

5. That to the extent that the above named persons and the issue, names unknown of Andrew Rosenbusch, the issue, names unknown of Margaret Fleischman, the issue, names unknown of John Rosenbusch, the issue, names unknown of Margaret Michel, and the issue, names unknown of Christian Fleischman, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

[F. R. Doc. 47-4532; Filed, May 13, 1947; 8:50 a. m.]

[Vesting Order 8811]

HERMAN ZENDEL

In re: Estate of Herman Zendel, deceased. File D-28-9422; E. T. sec. 12588.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emelle Zendel Schmid, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatso-ever of the person named in subparagraph 1 hereof in and to the estate of Herman Zendel, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by John T. Dempsey, as Administrator, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate con-

sultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

Donald C. Cook,

Director.

[F. R. Doc. 47-4533; Filed, May 13, 1947; 8:50 a.m.]

[Vesting Order 8818]

ULRICH SCHRECKER ET AL.

In re: Bank account and stock owned by Ulrich Schrecker, Rolf Schrecker, Wilhelm Schrecker and Vera Schrecker. F-28-23511-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ulrich Schrecker, Rolf Schrecker, Wilhelm Schrecker and Vera Schrecker, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. All those debts or other obligations owing to Ulrich Schrecker, Rolf Schrecker, Wilhelm Schrecker and Vera Schrecker, by Rudolph Correll, 26 Ferry Street, New York 7, New York, including particularly but not limited to a portion of the sum of money on deposit with The Chase National Bank of the City of New York, Pine and Nassau Streets, New York, New York, in a bank account, entitled Rudolph Correll, Special # 1, and any and all rights to demand, enforce and collect the same, and

b. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Wilhelm Schrecker, and presently in the custody of Rudolph Correll, 26 Ferry Street, New York 7, New York; in a safe deposit box numbered 56-205 in the Mercantile Branch of The Chase National Bank of the City of New York, 115 Broadway, New York, New York, together with all declared and unpaid dividends thereon.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ulrich Schrecker, Rolf Schrecker, Wilhelm Schrecker and Vera Schrecker, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not

within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

EXHIBIT A

	DAMBIT 2E				
Name and address of issuer	State of incorporation	Certificate No.	Núm- ber of shares	Par value	Type of stock
Allied Chemical & Dye Corp., 61 Broadway, New York, N. Y.	New York	0299679	5	No	Common.
American Smelting & Refining Co., 120 Broadway, New York, N. Y.	New Jersey	CO 197985 CO 180324 CO 50307	10	No No	Do. Do. Do.
American Telephone & Telegraph Co., 195 Broadway, New York 7, N. Y.	New York	TN 75/25 TN 75/20 RN 77736 TN 51648 TN 44773 PN 14566 HN 98150 NF 77579 NK 35508 NU 61655	5 10 5 5 6 5 6 5 6 5	No \$100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00 100.00	
		NQ 25933 NP 55598	12 2	100.00 100.00	Do. Do.
The American Tobacco Co., 111 5th Ave., New York, N. Y.	New Jersey	NG 59096 BB 36550 BB 10142	7 6 30 44	100,00 25,00 25,00 25,00	Do. Common "B" Do. Common.
The Atchison, Topeka & Santa Fe Ry. Co., Topeka, Kans. The Coca Cola Co., 101 West 10th St.,	Kansas Delaware	A297714 X293780 NY/CO 60713	1 10 10	100.00 100.00 No	Do. Do. Do.
Wilmington, Del. E. I. du Pont de Nemours & Co 1007 Market St., Wilmington, Del.		· ·		20.00	νο.
Eastman Kodak Co., 343 State St., Rochester, N. Y.		E 466186	10 8	20.00 20.00 20.00 No No No	Do. Do. Do. Do. Do. Do.
_		Y 335568 Y 128955 Y 26938 Y 102867 Y 368347	10	No No No No	Do. Do. Do. Do.
General Electric Co., 1 River Rd., Schenectady, N. Y.		Y 369347 NYC 216647 NYD 202435	100 20 _40	No No No	Do. Do. Do.
General Motors Corp., 3044 West Grand Blyd., Detroit, Mich.	-Delaware	NYD 7114 WC 104-994		10.00	Do.
General Motors Corp., 3044 West Grand Blvd., Detroft, Mich. Guaranty Trust Co. of New York, 140 Breadway, New York 16, N. Y. Homestake Mining Co., 300 Mont- gomery St., San Francisco, Calif. Ingersoll-Rand Co., 11 Breadway, New York N.	New York California		ı	100.00	Capital.
gomery St., San Francisco, Calif.	Norm Tomor	A 70915	i	12.50 No	- Do.
New York, N. Y. International Shoe Co., 1509 Wash-	Delaware		1	No	Common. Do.
New York, N. Y. International Shoe. Co., 1509 Washington Ave., St. Louis, Mo. Liggett & Myers Tobacco Co., 4241 Folsom Ave., St. Louis, Mo. National Biscuit Co. 449 West 14th St.,	New Jersey		t e	25.00	Common "B"
National Biscuit Co. 449 West 14th St., New York, N. Y.		H 1100	25	10.00	Common.
National Lead Co., 111 Broadway, New York, N. Y.	do		1	, 10.00	Do.
The Pennsylvania Railroad Co., Broad Street Station Bldg., Phila-	Pennsylvania	P 706441 P 458160 A 899342 WO 111510	1 3 3 20	50.00 50.00 50.00	Capital, Do. Do.
Radio Corp., of America, R. C. A. Bldg., 30 Rockefeller Plaza, New York, N. Y.	Delaware		ł	No	Common.
R.J. Reynolds Tobacco Co., Winston- Salem, N. C.	New Jersey	BL 190041 BL 110485 BL 7420	15 10 12	10.00 10.00 10.00 10.00	Common "B" Do. Do. Do.
Royal Dutch Co., Willemstad, Cura- cao, Netherlands, West Indies. Union Carbide & Carbon Corp., Car-	Netherlands, West Indies. New York	013588 419610	- 6 - 10	No No	Ordinary.
bide & Carbon Bldg., 30 East 42d St., New York, N. Y. Union Pacific R. R. Co., 16th and Dodge		101337 B 478517	10	No 100.00	Do. Do.
Sis., Omaha, Nebr. United Fruit Co., 1 Federal St., Boston, Mass.	New Jersey	K 033039 H 055480 K 010640	1	No No	Do. Do.
United Shoe Machinery Corp., 140 Federal Street, Boston, Mass.	do	279002 169449	25 20 10 10 2	No 25,00 25,00 25,00 25,00	Do. Do. Do. Do.
United States Steel Corp., 71 Broadway, New York, N.Y.	do	209031 O 529393	10.	100.00	Do. 7% Preferred.

[F. R. Doc. 47-4535; Filed, May 13, 1947; 8:50 a. m.]

[Vesting Order 8816] Ernst A. Giessen

In re: Bank account and stock owned by Ernst A. Giessen, also known as Ernest A. Giessen or as E. A. Giessen. F-28-22636-D-1, F-28-22636-D-2, F-28-22656-D-3, F-28-22636-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst A. Giessen, also known as Ernest A. Giessen or as E. A. Giessen, whose last known address is Frankfurt, A. M., Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

.a. That certain debt or other obligation owing to Ernst A. Giessen, also known as Ernest A. Giessen or as E. A. Giessen, by First National Bank at Pittsburgh, 5th Avenue and Wood Streets, Pittsburgh, Pennsylvania, arising out of a savings account, Account Number 26549, and any and all rights to demand, enforce and collect the same,

b. Six (6) shares of no par value common capital stock of Kennecott Copper Corporation, 120 Broadway, New York 5, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered 0 25555, and registered in the name of Ernest A. Giessen, together with all declared and unpaid dividends thereon,

c. Sixteen (16) shares of \$50.00 par value capital stock of Anaconda Copper Mining Company, 25 Broadway, New York 4, New York, a corporation organized under the laws of the State of Montana, evidenced by a certificate numbered 362259, and registered in the name of Ernest A. Giessen, together with all declared and unpaid dividends thereon, and

d. Three (3) shares of \$50.00 par value 6% Cumulative Preferred capital stock of the Philadelphia Company, 435 Sixth Avenue, Pittsburgh 19, Pennsylvania, a corporation organized under the laws of the State of Pennsylvania, evidenced by a certificate numbered exception of the state of Pennsylvania, evidenced by a certificate numbered exception of Ernst A. Glessen, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being

deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director

[F. R. Doc. 47-4534; Filed, May 13, 1947; 8:50 a.m.]

[Vesting Order 8829]

ANTHONY HELFRICH

In re: Estate of Anthony Helfrich, also known as Anton Helfrich, deceased. File D-66-2150; E. T. sec. 13357.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marga Helfrich and John Helfrich, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatso-ever of the persons named in subparagraph 1 hereof in and to the Estate of Anthony Helfrich, also known as Anton Helfrich, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by the City Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, County of New York, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States. The terms "national" and "designated

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,

Director.

[F. R. Doc. 47-4536; Filed, May 13, 1947; 8:50 a. m.]

[Vesting Order 8839]

KARL FRANKE

In re: Stock owned by Karl Franke. P-28-22452-D-1/2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

 That Karl Franke, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as fol-

a. Four (4) shares of \$15 par value capital stock of Consolidated Natural Gas Company, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered 035924 and 035925 for two (2) shares each, registered in the name of Karl Franke, together with all declared and unpaid dividends thereon,

b, Forty-one (41) shares of \$25 par value capital stock of Standard Oil Company, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered SC69420, SC23442 and SC41234 for twenty-one (21) six (6) and fourteen (14) shares respectively, registered in the name of Karl Franke, together with all declared and unpaid dividends thereon, and

c. Those certain debts or other obligations owing to Karl Franke by Standard Oil Company, a New Jersey Corporation, 30 Rockefeller Plaza, New York, New York, in the amounts of \$11.01 and \$10.48 respectively, as of December 31, 1945, arising out of the sale of certain scrip issued by said corporation, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,

Director.

[F. R. Doc. 47-4537; Filed, May 13, 1947; 8:50 a.m.]

[Vesting Order 8341] ELIZABETH GIESLER

In re: Debt or other obligation owing to and stock owned by the personal representatives, heirs, next of kin, legatees and distributees of Elizabeth Giesler, deceased. F-28-22950-A-1.
Under the authority of the Trading

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That the personal representatives, heirs, next of kin, legatees and distributees of Elizabeth Giesler, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)
- 2. That the property described as follows:
- a. That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees of Elizabeth Giesler, deceased, by Ladenburg, Thalmann & Co., 25 Broad Street, New York 4, New York, in the amount of \$38.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and
- b. Two (2) shares of capital stock of The Atchison, Topeka & Santa Fe Railway Company, 80 East Jackson Boulevard, Chicago, Illinois, a corporation organized under the laws of the State of Kansas, evidenced by certificate number A341135, registered in the name of Ladenburg, Thalmann & Co., 25 Broad Street, New York, New York, and presently in the custody of the aforesaid Ladenburg, Thalmann & Co., together with all declared and unpaid dividends thereon.
- is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Elizabeth Giesler, deceased, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Elizabeth Giesler, deceased, are not within a designated enemy country, the national interest of

the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL]

Donald C. Cook, Director

[F R. Doc. 47-4538; Filed, May 13, 1947; 8:50 a.m.]

[Vesting Order 8844]

DAISY VIVANTI LEMKE AND WALTER LEMKE

In re: Bank account, stock, bonds and certificates of deposit owned by Daisy Vivanti Lemke and Walter Lemke. F-28-593-A-1, F-28-593-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

- 1. That Daisy Vivanti Lemke and Walter Lemke, whose last known addresses are 8 Marunouchi, 3 Chome, Tokyo, Japan, are residents of Japan and nationals of a designated enemy country (Japan)
- 2. That the property described as follows:
- a. That certain debt or other obligation owing to Daisy Vivanti Lemke and Walter Lemke, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a clean credit deposit account, entitled Mr. Walter Lemke &/or Mrs. Daisy Vivanti Lemke, and any and all rights to demand, enforce and collect the same,
- b. Ten (10) shares of no par value \$5.00 preferred capital stock of American Power & Light Company, 2 Rector Street, New York, New York, a corporation organized under the laws of the State of Maine, evidenced by certificate number 01087, registered in the name of Hurley & Co., and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,
- c. Those certain certificates of deposit numbered NYD 477, NYD 478 and NYD 479, representing three (3) Abitibi Power & Paper Company, Limited First Mortgage 5% Bonds, Series A, of \$500.00 face value, which certificates of deposit are presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, and any and all

rights in, to and under the aforementioned certificates of deposit,

- d. That certain certificate of deposit number NB 636, representing four (4) Chicago Rapid Transit Company First Mortgage and Refunding 6½% Bonds, of \$1,000.00 face value, bearing the numbers 2664, 3492, 452, 10686, which certificate of deposit is presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, and any and all rights in, to and under the aforementioned certificate of deposit, and
- e. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, registered in the manner set forth in Exhibit A, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York, New York, together with any and all rights thereunder and thereto.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy county (Japan)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

EXHIBIT A

Number of bonds and description of issue	Face value	Num- bers	Registered in name of—
Four (4) Republic of Chile 6% External Sinking Fund Gold Bonds.	\$1,000.00	6573 6577 6578 6579	Hurley & Co.
One (1) 3% Republic of Panama External Scrip Certificate.	38.22		Bearer.
Two (2) Republic of Pan- ama Refunding 34% Thirty-five Year Bonds.	1,000.00	7959 5567	Do.
One (1) 3% Republic of Panama External Sink- ing Fund Bond.	50.00	844	Do.
Do	100.00	57 6	Do.

[F. R. Doc. 47-4539; Filed, May 13, 1947; 8:51 a. m.]

[Vesting Order 8912]

CHRISTINA MARGARET NATSCHIFF

In re: Real property owned by Christina Margaret Natschiff, also known as Christina M. Natschiff, and as Christina Margaret Natscheff, and as Christina M. Natscheff, and as C. M. Natscheff.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found; 1. That Christina Margaret Natschiff,

1. That Christina Margaret Natschiff, also known as Christina M. Natschiff, and as Christina Margaret Natscheff, and as Christina M. Natscheff, and as C. M. Natscheff, whose last known address is Dresden, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: Real property situated at Keopuka 2, District of South Kona, Island, T. H., particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,

Director

Exhibit A

All of that certain parcel of land (portion of the land described in Royal Patent Grant Number 148 to Daniel Barrett), situate, lying and being on the makal side of the upper Government road, at Keopuka 2, in the Dis-

trict of South Kona, Island, County and Territory of Hawaii, and being further described as the "Southerly Portion," and thus bounded and described:

Beginning at a 34" pipe in concrete marked #1 (23,177' N. & 558' W. of Terr. Trig. Sta. Lae o Kanoni) which is the Southeast corner of Keopuka 2 and is the Southeast corner of the South Portion of Keopuka 2. thence running by true azimuth measured clockwise from South.

1. 68°19′ 203.25 feet along old stonewall to a ¾′′ pipe in concrete marked No. 2; 2. 70°19′ 137.75 feet along old stonewall to

34" pipe in concrete marked No. 3; 3. 80°58', 218.00 feet along old stonewall;

4. 83°49' 146.60 feet along old stonewall to

a 34" pipe in concrete marked No. 4; 5. 78°39' 191.52 feet along old stonewall to

a 34" pipe in concrete marked No. 5; 6. 90°01', 124.00 feet along old stonewall to

pipe in concrete marked No. 6; 7. 87°32' 110.20 feet along old stonewall to

pipe in concrete marked No. 7; 8. 80°13' 81.50 feet along old stonewall to

a ¾" pipe in concrete marked No. 8;

74 paper in concrete marked No. 9; 10. 103°37' 171.50 feet along old stonewall to

to a 34" pipe in concrete marked No. 10; 11. 95°55' 45.00 feet along old stonewall; 12. 107°58' 191.87 feet along old stonewall

to a 34" pipe in concrete marked No. 11; 13. 96°42' 93.40 feet along old stonewall to a 34" pipe in concrete marked No. 12; 14. 98°50' 74.19 feet along old stonewall to

a 34" pipe in concrete marked No. 13;

15. 93°23' 89.63 feet along old stonewall

to a 34" pipe in concrete marked No. 14; 16. 90°37' 136.22 feet along old stonewall; 17. 96°30' 127.03 feet along old stonewall to a 34" pipe in concrete marked No. 15; 18. 108°42' 8.76 feet along old stonewall

to a 34" pipe in concrete marked No. 16; 19. 180°21' 191.60 feet along old stonewall

to a ¾" pipe in concrete marked No. 17; 20. 261°21' 1,323.17 feet to a ¾" pipe in

concrete marked No. 18; 21. 253°33' 964.16 feet to a 34" pipe in concrete marked No. 19;

22. 350°23' 107.39 feet along old stonewall:

23. 352°41' 218.07 feet along old stonewall

to a 34" pipe in concrete marked No. 20; 24. 15°14' 121.60 feet along old stonewall; 25. 17°59' 56.75 feet along old stonewall to a 34" pipe in concrete marked No. 21;

26. 355°05' 62.73 feet to the point of beginning.

Excepting and reserving from the above described parcel of land all that portion thereof, heretofore conveyed by the following Deed, to wit:

All of that certain piece and parcel of land situated at Keopuka, District of South Kona, Island, County and Territory of Hawaii, being a portion of Grant 148, in the Land of Keopuka, District of South Kona, Hawaii, more particularly described by metes and bounds as follows:

Beginning at a 34" pipe set in concrete at the southeast corner of this piece or parcel of land the coordinates of which point referred to Gov't. Survey Trig. Station "Lae-O-Kanoni" being 23,200.30 feet north Station and 586.57 feet west, thence running by azintuths and distances measured in a clockwise direction from true south as follows:

1. 70°27' 10.56 feet along Mrs. T. Okimoto Lot;

2. 180°10'30" 395.72 feet along proposed

road right-of-way; Thence along a 1880.08 feet radius curve to the left the direct azimuth and distance being;

3. 177°42'59" 161.30 feet:

4. 253°33' 11.30 feet along Lot 1 to T. Okimoto:

5. 350°31' 126.60 feet along west side of main government road;
6. 353°34′ 199.70 feet along same;

7. 8°32' 57.08 feet along came; 8. 16°10' 120.20 feet along came; 9. 357°10' 61.42 feet along came to the point of beginning and containing an area of 15,159 square feet or 0,3480 acre.

[F. R. Doc. 47-4540; Filed, May 13, 1947; 8:51 a. m.]

D

[Vesting Order 6720, Amdt.]

HERMAN SCHLID ET AL.

In re: Bank account owned by Herman Schmid, Emma Sigel Bantlin, Pauline Silber, Elise Sigel Stoll, Louise Sigel Krohmer, Louise Koch, Berta Sigel Winter, also known as Bertha Sigel Winter, and Gottlieb Silber, Jr., also known as Gottlieb Sigel, Jr.

Vesting Order 6720, dated June 24, 1946, is hereby amended as follows and

not otherwise:

By deleting the names "Marie Sigel Schmid" and "Karl Sigel" wherever those names appear in the aforementioned vesting order.

All other provisions of said Vesting Order 6720 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 14, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK, Director.

[F. R. Doc. 47-4542; Filed, May 13, 1947; 8:51 a. m.]

[Vesting Order 8617, Amdt.] EXPORTRREDITEAUK, A. G.

In re: Stocks, bonds and fractional certificates owned by Exportkreditbank, A. G.

Vesting Order 8617, dated March 31, 1947, is hereby amended as follows and not otherwise:

a. By substituting with respect to the shares of European Gas and Electric Company no par value 7% Cumulative 2d Preferred stock evidenced by certificate number 203 referred to in Exhibit A thereof, the amount of 50 shares for the amount of 25 shares,

b. By deleting from Exhibit B, attached thereto and by reference made a part thereof, the value \$11,000.00 set forth with respect to the face value of one State of Sao Paulo 40-year (External Loan of 1928) Sinking Fund 6% Gold bond, evidenced by certificate number M13562, and substituting therefor the value \$1,000.00, and

c. By deleting from Exhibit B, attached thereto and by reference made a part thereof, the value \$11,000.00 set forth with respect to the face value of one Siemens & Halske A. G. 25-year Sinking Fund 6½% Gold bond, evidenced by certificate number M23766, and substituting therefor the value \$1,000.00.

All other provisions of said Vesting Order 8617 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and con-

Executed at Washington, D. C., on May 7, 1947.

For the Attorney General.

DONALD C. COOK. Director.

[F. R. Doc. 47-4543; Filed, May 13, 1947; 8:51 a. m.1

[Vesting Order CE 383]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN COURTS OF ILLINOIS AND MISSOURI

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name:

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the rieaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on May 6, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,

Director.

NOTICES

Ехнівіт А

		EXHIBIT A			
Column 1	Column 2	Column 3	Column 4	Column 5	Column 0
Name	Country or territory	Action or proceeding	Property	Dopositary	Sum vested
Carl Hagen	Belgium	Item 1 Estate of August Hagen, deceased, Probate Court, Cook County, Chicago, Ill., file 43 F 3963, docket 422, p. 288.	\$1,399.76	The County Treasurer of Cook County, Chicago, Ill.	\$59, 00
Wilhelm Hagen	do	Same	1,399.76	do	89.60
Chisten Sorensen	Denmark	Estate of Ellen M. Christensen, deceased, Probate Court, Cook County, Chicago, Ill.; file 39P 3015, docket 334, p. 101.	1, 195. 18	do	25,00
Lauritz Peter Sorensen	do	Same	149. 50	do	5,00
Frederik Scrensen	do	Ilem 5	149. 50	do	5.00
Ebbe Sorensen	do	Same	149.40	do	5,00
Waldemar Sorensen	do	Item 7 Same	149. 40	do	600
Maren Sorensen Stark	do	Item 8 Same	149. 40	d0	5.00
Soren Larsen Sorensen	do	Same	1, 195. 18		
Christen Sorensen	do	Same	149. 40	do	£.00
Marie Sorensen	đo	Same	1, 195. 19	do	25, 00
Filippa Bruno	Italy	Item 12 Estate of Sam Bruno, deceased, Probate-Court of Cook County, Chicago, Ill., file 42 P 1952, docket 411, p. 97.	2, 503. 32	Mr. Louis E. Nelson, treasurer, Cook County, County Bldg., Chicago, Ill.	104.00
Francesca Bruno	-do	Item 13 Same	2,503,32	do	104.00
Mario Zeman a/k/a Mario Ze- manova, neo Mclichar (Me- licharova).	Czechoslovakia	Item 14 Estate_of Joseph Melichar, deceased, Probate Court, Cook County, Ill., docket 416, p. 380, file 42 P 7481.	1, 862. 35	Treasurer of Cook County, County Bldg., Chicago, Ill.	117.00
Isadore Orlando	Italy	Joseph Orlando and Paul Orlando vs. Salvatore J. Orlando, et al., Circuit Court, City of St. Louis, Mo., No. 96123.	681.07	Henry L. Berger, circuit clerk, Circuit Court of the City of St. Louis, Mo.	89,00
Francisco Randazzo	do	Same	113.52	do	15.00
Anthony Randazzo	do	Same	113. 51	do	15.00
Matteo Randazzo	do	Same	113, 51	do	15.00
Pino Randazzo	do	Item'19 Same	. 113.51	do	15.00
Marie Lo'Dato	do	Same	113. 51	do	15.00
Gina Marconi	do	Item 21 Same	113. 51	do	15.00
Sam Orlando	do	Same	113.51	do	15.00
Jack Orlando	do	Item 23 Same	113, 51	do	15.00
Filippa Orlando	do	Same	. 113. 51	do) 15.00
Louise Cusumano	do	Same	113.51	do	15.00
Patrina Cusumano	do	Item 28 Same	113. 51	do	15.00

[F. R. Doc. 47-4541; Filed, May 13, 1947; 8:51 a. m.]